

## SCHEDULES

### SCHEDULE 1

Section 10

#### PLACING CHILDREN IN SECURE ACCOMMODATION ELSEWHERE IN GREAT BRITAIN

##### *Children Act 1989*

- 1 The Children Act 1989 is amended as follows.
- 2 (1) Section 25 (use of accommodation in England for restricting liberty of children looked after by English and Welsh local authorities)—
  - (a) is to extend also to Scotland, and
  - (b) is amended as follows.
- (2) In subsection (1)—
  - (a) for “or local authority in Wales” substitute “in England or Wales”;
  - (b) after “accommodation in England” insert “or Scotland”.
- (3) In subsection (2)—
  - (a) in paragraphs (a)(i) and (ii) and (b), after “secure accommodation in England” insert “or Scotland”;
  - (b) in paragraph (c), for “or local authorities in Wales” substitute “in England or Wales”.
- (4) After subsection (5) insert—

“(5A) Where a local authority in England or Wales are authorised under this section to keep a child in secure accommodation in Scotland, the person in charge of the accommodation may restrict the child’s liberty to the extent that the person considers appropriate, having regard to the terms of any order made by a court under this section.”
- (5) In subsection (7)—
  - (a) in paragraph (c), after “secure accommodation in England” insert “or Scotland”;
  - (b) after that paragraph, insert—
    - “(d) a child may only be placed in secure accommodation that is of a description specified in the regulations (and the description may in particular be framed by reference to whether the accommodation, or the person providing it, has been approved by the Secretary of State or the Scottish Ministers).”
- (6) After subsection (8) insert—

“(8A) Sections 168 and 169(1) to (4) of the Children’s Hearings (Scotland) Act 2011 ([asp 1](#)) (enforcement and absconding) apply in relation to an order

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under subsection (4) above as they apply in relation to the orders mentioned in section 168(3) or 169(1)(a) of that Act.”

- 3 In paragraph 19(9) of Schedule 2 (restrictions on arrangements for children to live abroad), after “does not apply” insert “—
- (a) to a local authority placing a child in secure accommodation in Scotland under section 25, or
  - (b)”.

*Children (Secure Accommodation) Regulations 1991 (S.I. 1991/1505)*

- 4 The Children (Secure Accommodation) Regulations 1991 (S.I. 1991/1505) are amended as follows.

- 5 In regulation 1—
- (a) in the heading, for “and commencement” substitute “, commencement and extent”;
  - (b) the existing text becomes paragraph (1);
  - (c) after that paragraph insert—

“(2) This Regulation and Regulations 10 to 13 extend to England and Wales and Scotland.

(3) Except as provided by paragraph (2), these Regulations extend to England and Wales.”

- 6 In regulation 2(1) (interpretation), in the definition of “children’s home”, for the words from “means” to the end, substitute “means—
- (a) a private children’s home, a community home or a voluntary home in England, or
  - (b) an establishment in Scotland (whether managed by a local authority, a voluntary organisation or any other person) which provides residential accommodation for children for the purposes of the Children’s Hearings (Scotland) Act 2011, the Children (Scotland) Act 1995 or the Social Work (Scotland) Act 1968”.

- 7 For regulation 3 substitute—

**“3 Approval by Secretary of State of secure accommodation in a children’s home**

(1) Accommodation in a children’s home shall not be used as secure accommodation unless —

- (a) in the case of accommodation in England, it has been approved by the Secretary of State for that use;
- (b) in the case of accommodation in Scotland, it is provided by a service which has been approved by the Scottish Ministers under paragraph 6(b) of Schedule 12 to the Public Services Reform (Scotland) Act 2010.

(2) Approval by the Secretary of State under paragraph (1) may be given subject to any terms and conditions that the Secretary of State thinks fit.”

- 8 In regulation 17 (records), in the words before paragraph (a), after “children’s home” insert “in England”.

*Secure Accommodation (Scotland) Regulations 2013 (S.S.I. 2013 No. 205)*

- 9 The Secure Accommodation (Scotland) Regulations 2013 (S.S.I. 2013 No. 205) are amended as follows.
- 10 In regulation 5 (maximum period in secure accommodation), after paragraph (2) insert—
- “(3) This regulation does not apply in relation to a child placed in secure accommodation in Scotland under section 25 of the Children Act 1989 (which allows accommodation in Scotland to be used for restricting the liberty of children looked after by English and Welsh local authorities).”
- 11 In regulation 15 (records to be kept by managers of secure accommodation in Scotland), after paragraph (2) insert—
- “(3) The managers must provide the Secretary of State or Welsh Ministers, on request, with copies of any records kept under this regulation that relate to a child placed in secure accommodation under section 25 of the Children Act 1989 (which allows local authorities in England or Wales to place children in secure accommodation in Scotland).”

*Children’s Hearings (Scotland) Act 2011 (Consequential and Transitional Provisions and Savings) Order 2013 (S.I. 2013 No. 1465)*

- 12 In Article 7 of the Children’s Hearings (Scotland) Act 2011 (Consequential and Transitional Provisions and Savings) Order 2013 (S.I. 2013 No. 1465) (compulsory supervision orders and interim compulsory supervision orders), after paragraph (2) insert—
- “(3) Where—
- (a) a compulsory supervision order or interim compulsory supervision order contains a requirement of the type mentioned in section 83(2) (a) of the 2011 Act and a secure accommodation authorisation (as defined in section 85 of that Act),
  - (b) the place at which the child is required to reside in accordance with the order is a place in England or Wales, and
  - (c) by virtue of a decision to consent to the placement of the child in secure accommodation made under article 16, the child is to be placed in secure accommodation within that place,
- the order is authority for the child to be placed and kept in secure accommodation within that place.”

*Social Services and Well-being (Wales) Act 2014 (anaw 4)*

- 13 In section 124(9) of the Social Services and Well-being (Wales) Act 2014 (anaw 4) (restrictions on arrangements for children to live outside England and Wales), after “does not apply” insert “—
- (a) to a local authority placing a child in secure accommodation in Scotland under section 25 of the Children Act 1989, or
  - (b)”.

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*Saving for existing powers*

- 14 The amendments made by this Schedule to provisions of subordinate legislation do not affect the power to make further subordinate legislation amending or revoking the amended provisions.

SCHEDULE 2

Sections 11 and 31

PART 1 OF THIS ACT: CONSEQUENTIAL AMENDMENTS

**PART 1**

AMENDMENT RELATING TO CHAPTER 1

*Local offer for care leavers*

- 1 In Schedule 1 to the Local Authority Social Services Act 1970 (social services functions of local authorities), in the table, at the appropriate place insert—

<i>“Children and Social Work Act 2017</i>	
Section 2	Local offer for care leavers.”

- 2 In paragraph 1(2)(a) of Schedule 2 to the Children Act 1989 (information to be published by a local authority), in paragraph (i), for “, 23B to 23D, 24A and 24B” substitute “and 23D”.
- 3 In section 135(1)(e) of the Education and Inspections Act 2006 (functions subject to inspection), for “or the Adoption and Children Act 2002 (c. 38)” substitute “, the Adoption and Children Act 2002 or section 2 of the Children and Social Work Act 2017”.
- 4 In section 30 of the Children and Families Act 2014 (local offer for children and young people who have special educational needs or a disability), for “local offer”, in each place it occurs (including the title), substitute “SEN and disability local offer”.

*Advice and support*

- 5 In paragraph 1(1)(g) of Schedule 3 to the Nationality, Immigration and Asylum Act 2002 (kinds of support for which certain people are ineligible), after “23C,” insert “23CZB,”.
- 6 In section 83A(5)(a) of the Apprenticeships, Skills, Children and Learning Act 2009 (apprenticeship offer: application to persons provided with support under Children Act 1989)—
- (a) for “21” substitute “25”;
  - (b) after “23C” insert “or 23CZB”.

## PART 2

### AMENDMENTS RELATING TO ABOLITION OF LOCAL SAFEGUARDING CHILDREN BOARDS

- 7 In Schedule 1 to the Local Authority Social Services Act 1970 (social services functions of local authorities), in the entry relating to the Children Act 2004—
- (a) for “13 to 16” substitute “16A to 16Q”;
  - (b) omit “targets for”;
  - (c) omit “, and to Local Safeguarding Children Boards”.
- 8 (1) Section 83 of the Children Act 1989 (research and returns of information) is amended as follows.
- (2) In subsection (1), in paragraph (aa), for “of Local Safeguarding Children Boards;” substitute “of—
- (i) the Child Safeguarding Practice Review Panel;
  - (ii) safeguarding partners (within the meaning given by section 16E(3) of the Children Act 2004) in relation to local authority areas in England;
  - (iii) child death review partners (within the meaning given by section 16Q(2) of the Children Act 2004) in relation to local authority areas in England;”.
- (3) In subsection (2) omit paragraph (aa).
- (4) In subsection (3) omit paragraph (c) (and the “and” before it).
- 9 (1) Section 31 of the Children and Young Persons Act 2008 (supply of information concerning deaths of children) is amended as follows.
- (2) In subsections (2) and (4), for “appropriate Board” substitute “appropriate authority”.
- (3) In subsection (5), for “Subsection (6) applies” substitute “Subsections (5A) and (6) apply”.
- (4) After subsection (5) insert—
- “(5A) Where the registrar’s sub-district is in England, the registrar must, before the end of the required period, secure that the appropriate authority is notified—
- (a) of the issuing of the certificate; and
  - (b) of the registrar’s belief and the grounds for it.”
- (5) In subsection (6)—
- (a) at the beginning insert “Where the registrar’s sub-district is in Wales;”;
  - (b) omit “Local Safeguarding Children Board in England or”.
- (6) In subsection (7)(c), for “subsection” substitute “subsections (5A) and”.
- (7) After subsection (8) insert—
- “(8A) The child death review partners for each local authority area in England must—
- (a) make arrangements for the receipt by them of notifications under this section; and
  - (b) publish those arrangements.”

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- (8) In subsection (9) omit “Each Local Safeguarding Children Board in England and”.
- (9) Subsection (10) is amended as follows.
- (10) In the definition of “the appropriate Board”—
- (a) for “Board” substitute “authority”;
  - (b) in paragraph (a), for “the Local Safeguarding Children Board in England in whose area” substitute “in relation to a register kept for a sub-district in England, the child death review partners for the local authority area within which”;
  - (c) in paragraph (b), at the beginning insert “in relation to a register kept for a sub-district in Wales,”.
- (11) At the appropriate place insert—
- ““child death review partners” has the meaning given by section 16Q(2) of the Children Act 2004;”.
- (12) Omit the definition of “Local Safeguarding Children Board in England”.

### SCHEDULE 3

Section 36

#### SOCIAL WORK ENGLAND

##### *Status*

- 1 (1) The regulator is not to be regarded—
- (a) as a servant or agent of the Crown, or
  - (b) as enjoying any status, immunity or privilege of the Crown.
- (2) The members and staff of the regulator are not to be regarded as Crown servants.

##### *Members*

- 2 The regulator is to consist of—
- (a) a chair appointed by the Secretary of State, and
  - (b) such other members as the Secretary of State may appoint.

##### *Term of office*

- 3 A member holds and vacates office in accordance with the terms of the member’s appointment (subject as follows).
- 4 A member may resign by giving written notice to the Secretary of State.
- 5 The Secretary of State may by notice in writing remove a member who—
- (a) has without reasonable excuse failed to discharge the functions of his or her office, or
  - (b) in the opinion of the Secretary of State is otherwise unable or unfit to carry out his or her duties.

### *Remuneration and pensions*

- 6 The regulator may pay to the members such remuneration, allowances and expenses as the Secretary of State may decide.
- 7 If required to do so by the Secretary of State, the regulator must—
- (a) pay such pensions or gratuities to or in respect of any member as the Secretary of State may decide;
  - (b) pay such sums as the Secretary of State may decide towards provision for the payment of pensions or gratuities to or in respect of any member.

### *Staff*

- 8 (1) The regulator must appoint a person to be chief executive, but may only appoint a person who has been approved by the Secretary of State.
- (2) The chief executive is an employee of the regulator.
  - (3) The Secretary of State may appoint the first chief executive.
- 9 The regulator may appoint other staff.
- 10 (1) The regulator's staff may be appointed on such terms, including relating to remuneration and pension arrangements, as the regulator may decide.
- (2) The regulator must obtain the Secretary of State's approval for any terms relating to remuneration or pension arrangements.

### *Procedure*

- 11 The regulator may determine its own procedure (including quorum).
- 12 No proceeding is invalidated by—
- (a) a vacancy in the office of chair, or
  - (b) a defect in the appointment of any member.

### *Delegation*

- 13 (1) The regulator may delegate functions to a committee, sub-committee, member or member of staff.
- (2) The functions that may be delegated under sub-paragraph (1)—
    - (a) include the power conferred by that sub-paragraph, but
    - (b) do not include any power or duty to make rules.
- 14 (1) The regulator may delegate functions to any other person if—
- (a) the regulator considers that the delegation is likely to lead to an improvement in the exercise of its functions, and
  - (b) the person has agreed to the terms of the delegation.
- (2) The functions that may be delegated under sub-paragraph (1) do not include—
    - (a) the power conferred by that sub-paragraph, or
    - (b) any power or duty to make rules.
  - (3) The terms of a delegation under sub-paragraph (1) may include terms requiring payments by the regulator.

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- 15 (1) A function may be delegated under paragraph 13 or 14—
- (a) wholly or partly;
  - (b) generally or only in specified circumstances;
  - (c) unconditionally or subject to specified conditions.
- (2) A delegation does not prevent the regulator (or the person making the delegation, if different) from exercising the function or making other arrangements for its exercise.
- (3) A delegation does not affect any liability or responsibility of the regulator for the exercise of its functions.

#### *Membership of committees and sub-committees*

- 16 (1) A committee or sub-committee of the regulator may include persons who are not members of the regulator.
- (2) The regulator may pay such remuneration and allowances as the Secretary of State may determine to any person who—
- (a) is a member of a committee or sub-committee, but
  - (b) is not a member or member of staff of the regulator.

#### *Annual reports and accounts*

- 17 As soon as possible after the end of each financial year, the regulator must send the Secretary of State a report on the exercise of its functions during the year.
- 18 (1) The regulator must keep proper accounts and proper records in relation to the accounts.
- (2) The regulator must prepare a statement of accounts for each financial year.
- (3) The statement must be in such form as the Secretary of State may direct.
- (4) The regulator must send a copy of the statement to —
- (a) the Secretary of State, and
  - (b) the Comptroller and Auditor General,
- within the time period directed by the Secretary of State.
- (5) The Comptroller and Auditor General must—
- (a) examine, certify and report on the statement of accounts, and
  - (b) send a copy of the certified statement and of the report to the Secretary of State as soon as possible.
- 19 The Secretary of State must, in respect of each financial year, lay before Parliament a document consisting of—
- (a) the annual report sent under paragraph 17, and
  - (b) the certified statement of accounts and report sent under paragraph 18(5)(b).
- 20 In paragraphs 17 to 19 “financial year” means—
- (a) the period beginning with the day on which this Schedule comes fully into force and ending with the following 31 March, and
  - (b) every subsequent period of 12 months ending with 31 March.



*Application of seal and evidence*

- 21 The application of the regulator’s seal must be authenticated by the signature of—
- (a) a member of the regulator, or
  - (b) any other person who is authorised (generally or specially) for that purpose.
- 22 A document purporting to be duly executed under the seal of the regulator—
- (a) is to be received in evidence, and
  - (b) is to be treated as so executed unless the contrary is shown.

*Disqualification*

- 23 In Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies of which all members are disqualified), at the appropriate place insert—
- “Social Work England.”

*Freedom of information*

- 24 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (other public bodies and offices: general), at the appropriate place insert—
- “Social Work England.”

## SCHEDULE 4

Section 56

OVERSIGHT BY THE PROFESSIONAL STANDARDS  
AUTHORITY FOR HEALTH AND SOCIAL CARE

- 1 The National Health Service Reform and Health Care Professions Act 2002 is amended as follows.
- 2 (1) Section 25 (the Professional Standards Authority for Health and Social Care) is amended as follows.
- (2) In subsection (3), after paragraph (gb) (but before the “and” at the end) insert—
- “(gc) Social Work England”.
- (3) For subsection (3A) substitute—
- “(3A) A reference in an enactment to a body mentioned in subsection (3) is not (unless there is express provision to the contrary) to be read as including—
- (a) a reference to Social Work England, or
  - (b) a reference to the Health and Care Professions Council, or a regulatory body within subsection (3)(j), so far as it has functions relating to social care workers in England.”
- (4) In subsection (3B) for the definition of “the social work profession in England” and “social care workers in England” substitute—
- ““social care workers in England” has the meaning given in section 60 of the 1999 Act.”
- 3 (1) Section 25A (funding of the Authority) is amended as follows.
- (2) In subsection (1), after “regulatory body” insert “, other than Social Work England,”.

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(3) At the end of the heading insert “by bodies other than Social Work England”.

4 After section 25A insert—

**“25AA Funding of the Authority by Social Work England**

- (1) The Secretary of State must by regulations require Social Work England to pay the Authority periodic fees of such amount as the Secretary of State determines in respect of such of the Authority’s functions in relation to Social Work England as are specified in the regulations.
- (2) A reference in this section to the Authority’s functions does not include a reference to its functions under section 26A.
- (3) The regulations must, in particular, provide for the method of determining the amount of a fee under the regulations.
- (4) Before determining the amount of a fee under the regulations, the Secretary of State must request the Authority to make a proposal as to the amount of funding that it considers it requires in order to perform for the period to which the fee would apply such of its functions in relation to Social Work England as are specified in the regulations.
- (5) The Authority must—
  - (a) comply with a request under subsection (4), but
  - (b) before doing so, consult Social Work England.
- (6) Having received a proposal under subsection (5), the Secretary of State may consult Social Work England.
- (7) Having taken into account any representations from Social Work England, the Secretary of State must—
  - (a) make a proposal as to the amount of funding that the Secretary of State considers the Authority requires in order to perform for the period to which the fee would apply such of its functions in relation to Social Work England as are specified in the regulations, and
  - (b) determine in accordance with the method provided for under subsection (3) the amount of the fee that Social Work England would be required to pay.
- (8) The Secretary of State must—
  - (a) consult the Authority about the proposal under subsection (7)(a) and the determinations under subsection (7)(b), and
  - (b) consult Social Work England about the determination under subsection (7)(b) of the amount it would be required to pay.
- (9) Having taken into account such representations as it receives from consultees, the Secretary of State must—
  - (a) determine the amount of funding that the Authority requires in order to perform for the period to which the fee would apply such of its functions in relation to Social Work England as are specified in the regulations, and

- (b) determine in accordance with the method provided for under subsection (3) the amount of the fee that Social Work England is to be required to pay.
- (10) Regulations under this section requiring payment of a fee may make provision—
- (a) requiring the fee to be paid within such period as is specified;
  - (b) requiring interest at such rate as is specified to be paid if the fee is not paid within the period specified under paragraph (a);
  - (c) for the recovery of unpaid fees or interest.
- (11) The regulations may enable the Secretary of State to redetermine the amount of a fee provided for under the regulations, on a request by the Authority or Social Work England or on the Secretary of State’s own initiative.
- (12) Before making regulations under this section, the Secretary of State must consult—
- (a) the Authority,
  - (b) Social Work England, and
  - (c) such other persons as the Secretary of State considers appropriate.”
- 5 In section 25C (appointments to regulatory bodies), in subsection (7), after “Northern Ireland” insert “or Social Work England”.
- 6 (1) Section 25D (power of regulatory bodies to establish voluntary registers) is amended as follows.
- (2) In subsection (1), after “regulatory body” insert “other than Social Work England”.
- (3) In subsection (2), omit paragraph (b) and the “or” before it.
- 7 In section 25E (section 25D: interpretation), omit subsections (10) and (11).
- 8 In section 25F (establishment of voluntary register: impact assessment), in subsection (3)(c), for “, users of social care in England and users of social work services in England” substitute “and users of social care in England”.
- 9 In section 25G (power of the Authority to accredit voluntary registers), after subsection (9) insert—
- “(10) In this section “regulatory body” does not include Social Work England.”
- 10 In section 25H (accreditation of voluntary register: impact assessment), in subsection (3)(c), for “, users of social care in England and users of social work services in England” substitute “and users of social care in England”.
- 11 In section 25I (functions of the Authority in relation to accredited voluntary registers), in subsection (1)(a), omit “, users of social work services in England”.
- 12 (1) Section 26A (powers of Secretary of State and devolved administrations) is amended as follows.
- (2) In subsection (1D), omit paragraph (b).
- (3) For subsection (1E) substitute—
- “(1E) In subsection (1D), “unregulated social care worker in England” has the meaning given in section 25E.”

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- 13 In section 27 (regulatory bodies and the Authority), in subsection (2), after “regulatory body” insert “other than Social Work England”.
- 14 In section 28 (complaints), in subsection (1), after “regulatory body” insert “other than Social Work England”.
- 15 (1) Section 29 (reference to disciplinary cases by the Authority to court) is amended as follows.
- (2) After subsection (2) insert—
- “(2A) This section also applies to any steps or decisions which are taken by Social Work England (or any of its committees or officers) in connection with fitness to practise or discipline and which are of a description specified in regulations made by the Secretary of State.”
- (3) For subsection (5A) substitute—
- “(5A) In relation to something that is a relevant decision as a result of subsection (2A), “the relevant court” means the High Court of Justice in England and Wales.”
- 16 (1) Section 38 (regulations and orders) is amended as follows.
- (2) In subsection (2), after “other than” insert “regulations under 29(2A) or”.
- (3) In subsection (3), after “28” insert “or 29(2A)”.

## SCHEDULE 5

Section 62

### AMENDMENTS TO DO WITH PART 2

#### PART 1

##### GENERAL AMENDMENTS

##### *London County Council (General Powers) Act 1920*

- 1 In section 18(e) of the London County Council (General Powers) Act 1920, after “under the Health and Social Work Professions Order 2001” insert “or section 39(1) of the Children and Social Work Act 2017”.

##### *Medicines Act 1968*

- 2 In section 58 of the Medicines Act 1968, omit subsection (1ZA).

##### *Video Recordings Act 1984*

- 3 In section 3 of the Video Recordings Act 1984, omit subsection (11A).

*London Local Authorities Act 1991*

- 4 In section 4 of the London Local Authorities Act 1991, in paragraph (c) of the definition of “establishment for special treatment”, after “under the Health and Social Work Professions Order 2001” insert “or section 39(1) of the Children and Social Work Act 2017”.

*Value Added Tax Act 1994*

- 5 In Part 2 of Schedule 9 to the Value Added Tax Act 1994, in the Notes to Group 7, omit note (2ZA).

*Data Protection Act 1998*

- 6 In section 69(1) of the Data Protection Act 1998, in paragraph (h), omit the words from “, except in so far” to the end.

*Care Standards Act 2000*

- 7 The Care Standards Act 2000 is amended as follows.
- 8 (1) Section 55 is amended as follows.
- (2) In subsection (2) as substituted by the Regulation and Inspection of Social Care (Wales) Act 2016, omit paragraph (a).
- (3) Until the coming into force of the substitution of subsection (2) by the Regulation and Inspection of Social Care (Wales) Act 2016, the old version has effect as if in paragraph (a) after “social work” there were inserted “in Wales”.
- (4) In subsection (3) as substituted by the Regulation and Inspection of Social Care (Wales) Act 2016, omit paragraph (k).
- 9 (1) Section 67 is amended as follows.
- (2) Omit subsection (1A).
- (3) In subsection (2) as substituted by the Regulation and Inspection of Social Care (Wales) Act 2016—
- (a) omit paragraph (a) (including the “and” at the end), and
- (b) in paragraph (b), omit “other”.
- (4) Until the coming into force of the substitution of subsection (2) by the Regulation and Inspection of Social Care (Wales) Act 2016, the old version has effect as if the words from “courses”, in the first place it occurs, to “social workers” were omitted.

*Health and Social Work Professions Order 2001*

- 10 The Health and Social Work Professions Order 2001 ([SI 2002/254](#)) is amended as follows.
- 11 (1) Article 3 is amended as follows.
- (2) In paragraph (5)(b)—
- (a) in paragraph (ii), after “registrants or” insert “other”;
- (b) at end of paragraph (iv) insert “and”;

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- (c) omit paragraphs (vi) and (vii).
- (3) Omit paragraph (5AA).
- 12 In article 6(3)(aa), omit “or social work”.
- 13 In article 7(4), omit “or social work”.
- 14 (1) Article 9 is amended as follows.
  - (2) Omit paragraph (3A).
  - (3) In paragraph (8), omit “or social work”.
- 15 (1) Article 10 is amended as follows.
  - (2) In paragraph (6), omit “or social work”.
  - (3) Omit paragraph (7).
- 16 In article 11A, omit paragraph (11).
- 17 (1) Article 12 is amended as follows.
  - (2) In paragraph (1)—
    - (a) at the end of sub-paragraph (b) insert “or”;
    - (b) omit sub-paragraph (d) and the “or” before it.
  - (3) In paragraph (2)—
    - (a) at the end of sub-paragraph (a) insert “and”;
    - (b) omit sub-paragraph (c) and the “and” before it.
- 18 (1) Article 13 is amended as follows.
  - (2) In paragraph (1), omit “or (1B)”.
  - (3) Omit paragraph (1B).
- 19 For the heading of article 13A substitute “Visiting health professionals from relevant European States”.
- 20 Omit article 13B.
- 21 In article 19(2A)(b), omit “or social work”.
- 22 In article 20, omit the words from “; but the reference” to the end.
- 23 (1) Article 37 is amended as follows.
  - (2) In paragraph (1)(aa), omit “or social work”.
  - (3) Omit paragraph (1B).
  - (4) In paragraph (5A)(a), omit the words from “or registered as a social worker” to the end of that sub-paragraph.
  - (5) In paragraph (8), omit “(other than a hearing on an appeal relating to a social worker in England)”.
  - (6) Omit paragraph (8A).
- 24 (1) Article 38 is amended as follows.

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- (2) Omit paragraph (1ZA).
- (3) In paragraph (4), omit “(subject to paragraph (5))”.
- (4) Omit paragraph (5).
- 25 In article 39, omit paragraph (1A).
- 26 In Schedule 1, in paragraph 1A(1)(b), omit paragraph (ia) (but not the “and” at the end).
- 27 (1) In Schedule 3, paragraph 1 is amended as follows.
  - (2) In the definition of “visiting health or social work professional from a relevant European state”, omit “or social work” in both places.
  - (3) In the definition of “relevant professions”, omit “social workers in England;”.
  - (4) Omit the definition of “social worker in England”.

#### *Adoption and Children Act 2002*

- 28 (1) In section 10 of the Adoption and Children Act 2002, in subsection (2), for “, one of the registers maintained under” substitute “—
  - (a) the register of social workers in England maintained under section 39 of the Children and Social Work Act 2017,
  - (b) any register of social care workers in England maintained under an Order in Council under section 60 of the Health Act 1999 or any register maintained under such an Order in Council so far as relating to social care workers in England, or
  - (c) the register maintained under”.
- (2) Until the coming into force of the amendment made by sub-paragraph (1), section 10(2) of the Adoption and Children Act 2002 is to have effect as if the reference to the registers mentioned there included a reference to the part of the register maintained under article 5 of the Health and Social Work Professions Order 2001 that relates to social workers in England.

#### *Income Tax (Earnings and Pensions) Act 2003*

- 29 In section 343(2) of the Income Tax (Earnings and Pensions) Act 2003, in paragraph 1 of the Table, after sub-paragraph (r) insert—
  - “(s) the register of social workers in England kept under section 39(1) of the Children and Social Work Act 2017.”

#### *National Health Service Act 2006*

- 30 In section 126 of the National Health Service Act 2006, for subsection (4A) substitute—
  - “(4A) Subsection (4)(h) does not apply to persons in so far as they are registered as social care workers in England (within the meaning of section 60 of the Health Act 1999).”

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*Status: This is the original version (as it was originally enacted).*

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*National Health Service (Wales) Act 2006*

31 In section 80 of the National Health Service (Wales) Act 2006, for subsection (4A) substitute—

“(4A) Subsection (4)(h) does not apply to persons in so far as they are registered as social care workers in England (within the meaning of section 60 of the Health Act 1999).”

*Armed Forces Act 2006*

32 In section 257(3) of the Armed Forces Act 2006, for paragraph (a) substitute—

“(a) Social Work England;”.

*Safeguarding Vulnerable Groups Act 2006*

33 The Safeguarding Vulnerable Groups Act 2006 is amended as follows.

34 In section 41(7), in the table, after entry 10 insert—

<p>““11 The register of social workers in England kept under section 39(1) of the Children and Social Work Act 2017</p>	<p>The registrar appointed under section 39(3)(a) of the Children and Social Work Act 2017 or, in the absence of such an appointment, Social Work England”.”</p>
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35 In Schedule 3, in paragraph 16(4), after paragraph (l) insert—

“(m) Social Work England.”

*Protection of Vulnerable Groups (Scotland) Act 2007 (asp 14)*

36 In section 30A(6) of the Protection of Vulnerable Groups (Scotland) Act 2007—

- (a) omit “the social work profession in England or”;
- (b) for “each of those expressions having the same meaning as in” substitute “within the meaning of”.

*Children and Young Persons Act 2008*

37 (1) In section 2 of the Children and Young Persons Act 2008, in subsection (6), for paragraph (a) substitute—

“(a) in the register maintained by Social Work England under section 39(1) of the Children and Social Work Act 2017;”.

- (2) Until the coming into force of the amendment made by sub-paragraph (1), section 2(6)(a) of the Children and Young Persons Act 2008 is to have effect as if the reference to the register mentioned there were to a register maintained under article 5 of the Health and Social Work Professions Order 2001.

*Health and Social Care Act 2012*

38 In the Health and Social Care Act 2012 omit sections 213, 215 and 216.



*Status: This is the original version (as it was originally enacted).*

*Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2)*

- 39 The Regulation and Inspection of Social Care (Wales) Act 2016 is amended as follows.
- 40 In section 111(4)(b)—
- (a) in the Welsh text, for “Cyngor y Proffesiynau Iechyd a Gofal” substitute “Gwaith Cymdeithasol Lloegr”;
  - (b) in the English text, for “the Health and Care Professions Council” substitute “Social Work England”.
- 41 In section 117(4)(a)—
- (a) in the Welsh text, after “Gofal” insert “neu Waith Cymdeithasol Lloegr”;
  - (b) in the English text, after “Council” insert “or Social Work England”.
- 42 In section 119(4)(a)(ii)—
- (a) in the Welsh text, for “y Cyngor Proffesiynau Iechyd a Gofal” substitute “Gwaith Cymdeithasol Lloegr”;
  - (b) in the English text, for “the Health and Care Professions Council” substitute “Social Work England”.
- 43 In section 125(5)(a)(ii)—
- (a) in the Welsh text, for “y Cyngor Proffesiynau Iechyd a Gofal” substitute “Gwaith Cymdeithasol Lloegr”;
  - (b) in the English text, for “the Health and Care Professions Council” substitute “Social Work England”.
- 44 In section 174(5)(a)(ii)—
- (a) in the Welsh text, for “Cyngor y Proffesiynau Iechyd a Gofal” substitute “Gwaith Cymdeithasol Lloegr”;
  - (b) in the English text, for “the Health and Care Professions Council” substitute “Social Work England”.

**PART 2**

RENAMING OF HEALTH AND SOCIAL WORK PROFESSIONS ORDER 2001

- 45 For the title to the Health and Social Work Professions Order 2001 ([SI 2002/254](#)) substitute “Health Professions Order 2001”.
- 46 In article 1(1) of that Order (citation), for “the Health and Social Work Professions Order 2001” substitute “the Health Professions Order 2001”.
- 47 In the following provisions, for “the Health and Social Work Professions Order 2001” substitute “the Health Professions Order 2001”—
- (a) section 18(e) of the London County Council (General Powers) Act 1920;
  - (b) section 3(11) of the Video Recordings Act 1984;
  - (c) 114ZA(4) of the Mental Health Act 1983;
  - (d) paragraph (E) in the entry for the London County Council (General Powers) Act 1920 in Schedule 2 to the Greater London Council (General Powers) Act 1984;
  - (e) paragraph (c) of the definition of “establishment for special treatment” in section 4 of the London Local Authorities Act 1991;

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*Status: This is the original version (as it was originally enacted).*

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- (f) item 1(c) in Group 7, in Part 2 of Schedule 9 to the Value Added Tax Act 1994;
- (g) section 69(1)(h) of the Data Protection Act 1998;
- (h) section 60(2)(c) of the Health Act 1999;
- (i) sections 25C(8)(h) and 29(1)(j) of the National Health Service Reform and Health Care Professions Act 2002;
- (j) section 126(4)(a) of the National Health Service Act 2006;
- (k) section 80(4)(a) of the National Health Service (Wales) Act 2006;
- (l) entry 10 in the table in section 41(7) of the Safeguarding Vulnerable Groups Act 2006.

48 In the definition of “registered psychologist” in each of the following provisions, for “the Health and Social Work Professions Order 2001” substitute “the Health Professions Order 2001”—

- (a) section 307(1) of the Criminal Procedure (Scotland) Act 1995;
- (b) section 207(6) of the Criminal Justice Act 2003;
- (c) section 21(2)(b) of the Criminal Justice (Scotland) Act 2003;
- (d) section 25 of the Gender Recognition Act 2004.