



# Children and Social Work Act 2017

## 2017 CHAPTER 16

### PART 2

#### SOCIAL WORKERS ETC IN ENGLAND

##### *Regulation and improvement*

#### **44 Discipline and fitness to practise**

- (1) The regulator must—
  - (a) make arrangements for protecting the public from social workers in England whose fitness to practise is impaired, and
  - (b) make arrangements for taking other disciplinary action against social workers in England.
- (2) The Secretary of State may by regulations require the regulator to make arrangements for taking disciplinary action against registered students.
- (3) The Secretary of State may by regulations make further provision about—
  - (a) fitness to practise as a social worker in England,
  - (b) discipline of social workers in England or registered students, and
  - (c) the arrangements to be made under subsection (1) or (2).
- (4) For example, the regulations may make provision about—
  - (a) the person by whom decisions about discipline or fitness to practise are to be taken on behalf of the regulator;
  - (b) the appointment of assessors, examiners or legal or other advisers;
  - (c) the circumstances in which disciplinary action may be taken or the circumstances in which a person's fitness to practise is impaired;
  - (d) the procedure for considering, investigating or determining disciplinary matters or fitness to practise (including standard of proof);
  - (e) powers to obtain information;

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*Status: This is the original version (as it was originally enacted).*

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- (f) temporary measures that may be taken against a person pending the outcome of an investigation;
  - (g) sanctions;
  - (h) appeals against decisions;
  - (i) publication of decisions.
- (5) The provision that may be made about persons appointed under the regulations includes provision about—
- (a) payments to those persons;
  - (b) staff, facilities or other assistance.