
DRAFT STATUTORY INSTRUMENTS

2018 No.

The Social Workers Regulations 2018

PART 6

Restrictions on practice, protected titles and offences

Carrying out social work in England and use of title

28.—(1) A person may not practise as a social worker in England unless they are a registered social worker.

(2) A person must not use the title of “social worker” unless they are a registered social worker.

(3) Paragraphs (1) and (2) do not apply to a person who is practising as a social worker in England on a temporary basis, and is registered as a social worker in a register kept by—

- (a) Social Care Wales,
- (b) the Scottish Social Services Council, or
- (c) the Northern Ireland Social Care Council.

Holding out of a person as qualified to carry out social work in England

29.—(1) A person must not falsely represent themselves to be a registered social worker, to have a qualification in relation to social work, or to be the subject of an entry in the register.

(2) A person (“A”) must not make a false representation about another person (“B”) which, if it was made by B, would be contrary to paragraph (1).

Offences in connection with registration

30. A person commits an offence if they fraudulently procure, or attempt to procure, the making, amendment, removal or restoration of an entry in the register.

Offences in connection with restrictions on practice and protected titles

31.—(1) A person commits an offence if, with intent to deceive (whether expressly or by implication), they—

- (a) use the title of “social worker” in breach of regulation 28(2),
- (b) falsely represent themselves, in breach of regulation 29(1)—
 - (i) to be registered, or to be the subject of an entry in the register, or
 - (ii) to possess a qualification in relation to social work.

(2) A person (“A”) commits an offence if—

- (a) with intent that any person is deceived (whether expressly or by implication) they cause or permit another person (“B”) to make any representation about A which, if made by A with intent to deceive, would be an offence under paragraph (1), or

- (b) with intent to deceive they make any representation with regard to another person (“B”) which—
 - (i) A knows to be false, and
 - (ii) if made by B with that intent would be an offence by B under paragraph (1).

Offences in connection with the provision of information

- 32.**—(1) A person commits an offence if they fail, without reasonable excuse to—
- (a) attend and give evidence or produce documents when required to do so by the regulator in accordance with regulation 14(3) (in connection with the removal of an entry under regulation 14(1)(a) on the grounds it was fraudulently procured or incorrectly made),
 - (b) attend and give evidence or produce documents when required to do so by adjudicators in accordance with regulation 15(5)(b) (in connection with an application for restoration by a person who was the subject of a removal order),
 - (c) attend and give evidence or produce documents when required to do so by the regulator, or adjudicators, in accordance with regulation 19(4) (in connection with a registration appeal),
 - (d) provide information when required to do so by the regulator under paragraph 1(3)(a), or by investigators under paragraph 4(1)(b), of Schedule 2 (in connection with fitness to practise proceedings), or
 - (e) attend and give evidence or produce documents when required to do so by investigators in accordance with paragraph 5(1) of Schedule 2 (in connection with fitness to practise proceedings).

Offences under this Part

- 33.** A person guilty of an offence under this Part is liable on summary conviction to a fine.