



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;

Changes to legislation: There are currently no known outstanding effects for the Children and Social Work Act 2017, Section 44. (See end of Document for details)

- (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.

Commencement Information

- I1** S. 44(1) in force at 2.12.2019 by S.I. 2019/1436, **reg. 2(e)**
- I2** S. 44(2)-(5) in force at 1.4.2018 by S.I. 2018/346, **reg. 4(n)**

Changes to legislation:

There are currently no known outstanding effects for the Children and Social Work Act 2017, Section 44.