POLICY NOTE

THE REGISTRATION OF SOCIAL WORKERS AND SOCIAL SERVICE WORKERS IN CARE SERVICES (SCOTLAND) AMENDMENT REGULATIONS 2017

SSI 2017/

The above Regulations were made in exercise of the powers conferred by sections 78(2) and 104(1) of the Public Services Reform (Scotland) Act 2010. This instrument is subject to affirmative resolution procedure.

Policy Objectives

Under section 44(1) of the Regulation of Care (Scotland) Act 2001, the Scottish Social Services Council ("the Council") is required to maintain a register of (i) social workers, (ii) social service workers of such description as have been prescribed by Scottish Ministers and (iii) persons participating in a course approved by the Council or employed in a position probationary to their becoming either a social worker or social service worker of a prescribed description.

The policy intention was that registration with the Council would be a condition of employment, and continued employment in the sector. In 2009 Regulations were made which required social service workers to register with the Council and set dates by when all existing workers, for whom registration had commenced, to achieve registration. The Regulations included a Schedule setting out the dates for each group.

The 2009 Regulations were revoked and replaced by the Registration of Social Workers and Social Service Workers in Care Services (Scotland) Regulations 2013 ("the 2013 Regulations").

These Regulations amend the Schedule to the principle 2013 Regulations by inserting a new table which specifies two additional groups of workers, namely support workers employed in care at home and housing support services and setting a required registration date of - DN 30 September 2020 for these workers who work in the relevant role on 2 October 2017.

Consultation

There is no requirement to consult on these Regulations. However, a consultation was carried out for the corresponding Order to prescribe these groups of workers. Given the interaction between the Regulations and Order, Scottish Ministers included information on the amendments being made in these Regulations in that consultation.

Financial Effects

The financial impact of this instrument is not expected to be significant. Allocation of resources to the Council reflects the costs of regulating all groups of workers. The annual registration fee of £25 will be paid by the individual worker. It was not considered necessary

to carry out a Business and Regulatory Impact Assessment as the policy has been in place since 2001 and subject to assessment for the enabling Act.

Scottish Government
March 2017