STATUTORY RULES OF NORTHERN IRELAND

2006 No. 396

HEALTH AND PERSONAL SOCIAL SERVICES

The Northern Ireland Social Care Council (Description of Social Care Workers) Order (Northern Ireland) 2006

Made - - - -	*28th September 2006*
Coming into operation -	*24th October 2006*

The Department of Health, Social Services and Public Safety(**a**), in exercise of the powers conferred by sections 3(1)(b) and 57(3) of the Health and Personal Social Services Act (Northern Ireland) 2001(**b**) makes the following Order.

In accordance with section 3(4) of that Act it has consulted the Northern Ireland Social Care Council.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Northern Ireland Social Care Council (Description of Social Care Workers) Order (Northern Ireland) 2006 and shall come into operation on 24th October 2006.

(2) In this Order—

"the Act" means the Health and Personal Social Services Act (Northern Ireland) 2001.

Description of social care workers for the purposes of registration

2. Subject to regulation 2 of the Northern Ireland Social Care Council (Social Care Workers) Regulations (Northern Ireland) 2006(**c**), the following descriptions of social care workers are specified for the purposes of section 3(1)(b) of the Act—

(a) a person who is a member of care staff in a residential care home, a nursing home or a day care setting;

(b) a person who manages or is a member of care staff in a residential family centre;

(c) a person who is supplied by a domiciliary care agency to provide personal care in their own homes for persons who by reason of illness, infirmity or disability are unable to provide it for themselves without assistance; or

(d) persons of any of the descriptions in paragraphs (a) to (e) of subsection (3) of section 2 of the Act who are treated as social care workers by virtue of regulations made under that section(**d**).

(**a**) See S.I. 1999/283 (N.I. 1), Article 3(6)
(**b**) 2001 c. 3
(**c**) S.R. 2006 No. 394
(**d**) See S.R. 2004 No. 57 and S.R. 2006 No. 394

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 28th September 2006.



Paul Martin
A senior officer of the Department of Health, Social Services and Public Safety

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under sections 3(1)(b) and 57(3) of the Health and Personal Social Services Act (Northern Ireland) 2001 ("the Act"). Under section 3 of the Act, the Northern Ireland Social Care Council must maintain a register of social workers and of social care workers of any other description specified by Order made by the Department of Health, Social Services and Public Safety ("the Department").

This Order specifies, as descriptions of social care workers, persons who are members of care staff in a residential care home, nursing home or day care setting; who manage or are members of care staff in a residential family centre; who are engaged in the provision of personal care for any person or who are supplied by a domiciliary care agency to provide personal care in their own homes for persons who by reason of illness, infirmity or disability are unable to provide it for themselves without assistance.

This Order also specifies as descriptions of social care workers persons who are treated as social care workers by regulations made under section 2(3) of the Act. These include persons who are engaged in work for the purposes of the personal social services functions of a Health and Social Services Board or HSS trust (or in the provision of services similar to those provided in the exercise of those functions); who manages or are employed in, an undertaking which consists of or includes supplying, or providing services for the purpose of supplying, persons to provide personal care; or who are employed in connection with the discharge of functions of the Department of Health, Social Services and Public Safety under Article 149 of the Children (Northern Ireland) Order 1995 (NI 2) (inspection of children's homes etc.).

The descriptions of social care worker specified by this Order do not include persons, excepted from the meaning of social care worker under regulation 2 of the Northern Ireland Social Care Council (Social Care Worker) Regulations (Northern Ireland) 2006, who are registered with or are members of the regulatory bodies specified in that regulation.

Published and printed in the UK by The
Stationery Office Limited
under the authority and
superintendence of Carol
Tullo, Controller of
Her Majesty's Stationery
Office being the Government
Printer for Northern Ireland and
the Officer appointed to print the
Acts of the Northern Ireland Assembly

Dd. N2855. C1. 10/06. Gp. 130. 14567.