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## Health and Sport Committee Comataidh Slàinte is Spòrs

# Subordinate Legislation



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# Health and Sport Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Health and Sport.



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# Committee Membership



**Convener**  
**Neil Findlay**  
Scottish Labour



**Deputy Convener**  
**Clare Haughey**  
Scottish National Party



**Tom Arthur**  
Scottish National Party



**Miles Briggs**  
Scottish Conservative  
and Unionist Party



**Donald Cameron**  
Scottish Conservative  
and Unionist Party



**Alex Cole-Hamilton**  
Scottish Liberal  
Democrats



**Jenny Gilruth**  
Scottish National Party



**Alison Johnstone**  
Scottish Green Party



**Ivan McKee**  
Scottish National Party



**Colin Smyth**  
Scottish Labour



**Maree Todd**  
Scottish National Party

# Registration of Social Workers and Social Service Workers in Care Services (Scotland) Amendment Regulations 2017 [draft]

The Committee reports to Parliament as follows-

1. The Registration of Social Workers and Social Service Workers in Care Services (Scotland) Amendment Regulations 2017 [draft] was laid before the Parliament on 24 March 2017 and referred to the Health and Sport Committee.
2. The Registration of Social Workers and Social Service Workers in Care Services (Scotland) Amendment Regulations 2017 [draft] is subject to the affirmative procedure (Rule 10.6). It is for the Health and Sport Committee to recommend to the Parliament whether the Regulations should be approved.
3. 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.
4. 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.
5. 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.
6. 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”).
7. 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 30 September 2020 for these workers who work in the relevant role on 2 October 2017.
8. The Delegated Powers and Law Reform Committee considered this instrument at its meeting on 18 April 2017 and agreed that it did not need to draw it to the attention of the Parliament on any grounds within its remit.

[Delegated Powers and Law Reform Committee, 19th Report, 2017 \(Session 5\)](#)

9. At the Health and Sport Committee's 12th meeting, on the 9 May 2017, the Committee took evidence on the Registration of Social Workers and Social Service Workers in Care Services (Scotland) Amendment Regulations 2017 [draft] from—
- Mark McDonald, Minister for Childcare and Early Years;
  - Diane White, Senior Policy Officer, Office of the Chief Social Work Adviser, Scottish Government; and
  - Ruth Lunny, Principal Legal Officer, Scottish Government.
10. Motion S5M-05208 was lodged by Mark McDonald, Minister for Childcare and Early Years. Following the evidence session, Mark McDonald moved the motion S5M-05208—

That the Health and Sport Committee recommends that the Registration of Social Workers and Social Service Workers in Care Services (Scotland) Amendment Regulations 2017 [draft] be approved.

The motion was agreed to.

11. The evidence taken and debate held at the meeting on 9 May 2017 can be found in the Official Report at the following link:

[Official Reports Health and Sport Committee](#)

12. The Health and Sport Committee recommends to Parliament that the Registration of Social Workers and Social Service Workers in Care Services (Scotland) Amendment Regulations 2017 [draft] be approved.

