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Health, Social Care and Sport Committee

The Registration of Social Workers and Social Service Workers in Care Services (Scotland) Amendment Regulations 2024 [draft]



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Health, Social Care and Sport Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for NHS Recovery, Health and Social Care and matters relating to drugs and alcohol policy.

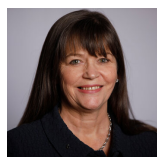


hscs.committee@parliament.scot



0131 3485979

Committee Membership



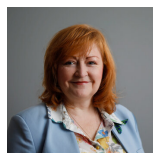
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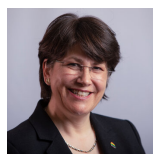
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Scottish National Party



Carol Mochan
Scottish Labour



David Torrance
Scottish National Party



Tess White
Scottish Conservative
and Unionist Party

Introduction

1. This report sets out the Health, Social Care and Sport Committee's consideration of a Scottish Statutory Instrument (SSI) at its meeting on 30 April 2024. The minutes of the meeting have been published on the Committee's webpages. The Official Report of the meeting will be published on the Committee's webpages in due course.

The Registration of Social Workers and Social Service Workers in Care Services (Scotland) Amendment Regulations 2024

2. The Registration of Social Workers and Social Service Workers in Care Services (Scotland) Amendment Regulations 2024 [draft] were laid on 11 March 2024. The instrument is subject to the affirmative procedure (Rule 10.6).
3. The policy note states that the purpose of the instrument is to—
 - ” amend the Registration of Social Workers and Social Service Workers in Care Services (Scotland) Regulations 2013 (“the 2013 Regulations”) to reduce the period of time for workers to apply for registration with the Scottish Social Services Council (“SSSC”), with the requirement now being within 3 months of starting a new role.
4. It further notes that the objective of the instrument is to encourage social workers and social service workers to apply for registration sooner after starting work, which will allow the assessment of an applicant’s fitness to practise at an earlier stage, providing greater public protection. This will replace the current requirement to apply for registration ‘as soon as is reasonably practicable’ after starting work. In this context, for social service workers “starting work” includes starting work as a different description of social service worker.
5. It further states that -
 - ” The requirement to be registered within 6 months of starting work (or until the application is granted, whichever occurs first) that is currently provided for in the 2013 Regulations remains. The instrument contains a savings provision with the effect that the amendments will not apply to anyone starting work before 3 June.

Delegated Powers and Law Reform Committee Consideration

6. The DPLR Committee considered the instrument on 19 March 2024 and reported on it in its [22nd Report, 2024 \(Session 6\)](#). The DPLR Committee made no recommendations in relation to the instrument.

Health, Social Care and Sport Committee consideration

7. It is for the Health, Social Care and Sport Committee to recommend to the Parliament whether the Regulations should be approved.
 8. The Minister for Children, Young People and Keeping the Promise ("the Minister"), has, by motion [S6M-12990](#), proposed that the Committee recommends approval of the Regulations.
 9. The Committee took evidence from the Minister at its meeting on 30 April 2024. The Minister made an opening statement after which the Committee asked questions relating to the instrument. The Committee queried whether measures had been put in place to ensure employers and workers were aware of the changes to the registration period, whether there would be leeway given for registrants who are outwith the 3 month period, and whether there would be a monitoring and tracking system in place for registrants who are not engaging.
 10. Following the evidence session, the Minister moved motion [S6M-12990](#) —That the Health, Social Care and Sport Committee recommends that The Registration of Social Workers and Social Service Workers in Care Services (Scotland) Amendment Regulations 2024 [draft] be agreed to.
 11. The motion was agreed to.
12. The Health, Social Care and Sport Committee recommends to the Scottish Parliament that The Registration of Social Workers and Social Service Workers in Care Services (Scotland) Amendment Regulations 2024 [draft] be approved.

