



2001 CHAPTER 3

PART I

SOCIAL CARE WORKERS

Preliminary

The Northern Ireland Social Care Council

1.—(1) There shall be a body corporate to be known as the Northern Ireland Social Care Council (referred to in this Part as “the Council”) which shall have the functions conferred on it by or under this Part or any other statutory provision.

(2) It shall be the duty of the Council to promote—

- (a) high standards of conduct and practice among social care workers; and
- (b) high standards in their training.

(3) The Council shall, in the exercise of its functions, act—

- (a) in accordance with any directions given to it by the Department; and
- (b) under the general guidance of the Department.

(4) Schedule 1 shall have effect with respect to the Council.

“Social care worker”, etc.

2.—(1) This section has effect for the purposes of this Part.

(2) “Social care worker” means a person (other than a person excepted by regulations) who—

Changes to legislation: There are currently no known outstanding effects for the Health and Personal Social Services Act (Northern Ireland) 2001, Cross Heading: Preliminary. (See end of Document for details)

- (a) engages in relevant social work (referred to in this Part as a “social worker”);
 - (b) is employed at—
 - (i) a children's home;
 - (ii) a residential care home;
 - (iii) a nursing home;
 - (iv) a day care setting;
 - (v) a residential family centre;
 - (c) manages an establishment of a description mentioned in paragraph (b); or
 - (d) 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.
- (3) Regulations may provide that persons of any of the following descriptions shall be treated as social care workers—
- (a) a person engaged in work for the purposes of the [F¹social care] functions of [F²the Department or an][F³HSC trust];
 - (b) a person engaged in the provision of personal care for any person;
 - (c) a person who manages, or is employed in, an undertaking which consists of or includes supplying, or providing services for the purpose of supplying, persons to provide personal care;
 - (d) a person engaged in the provision of services which are similar to services which may or must be provided by [F⁴the Department] or [F⁵HSC trusts] in the exercise of their [F¹social care] functions;
 - (e) a person employed in connection with the discharge of functions of the Department under Article 149 of the Children (Northern Ireland) Order 1995 (NI 2) (inspection of children's homes etc.);
 - (f) a person participating in a course approved by the Council under section 10 for persons wishing to become social workers.
- (4) “Relevant social work” means social work which is required in connection with any health, education, probation or [F¹social care] provided by any person.
- F⁶(5)
- F⁶(6)
- F⁶(7)

<p>F1 Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), Sch. 6 para. 1(1)(a) (with Sch. 6 para. 1(2)(3)); S.R. 2009/114, art. 2</p>
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- F2** Words in s. 2(3)(a) substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 189(2)(a)**; S.R. 2022/102, art. 2(b)
- F3** Words in Act substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 1(1)(d)** (with Sch. 6 para. 1(3)); S.R. 2009/114, **art. 2**
- F4** Words in s. 2(3)(d) substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 189(2)(b)**; S.R. 2022/102, art. 2(b)
- F5** Words in Act substituted (1.4.2009) by virtue of Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 1(1)(d)** (with Sch. 6 para. 1(3)); S.R. 2009/114, **art. 2**
- F6** S. 2(5)-(7) omitted (31.12.2020) by virtue of The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/593), reg. 1(2), **Sch. 10 para. 3** (with reg. 12A, Sch. 10 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 18); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the Health and Personal Social Services Act (Northern Ireland) 2001, Cross Heading: Preliminary.