
DRAFT STATUTORY INSTRUMENTS

2018 No. 0000

**SOCIAL WORK, ENGLAND
HEALTH CARE AND ASSOCIATED
PROFESSIONS, ENGLAND
MENTAL CAPACITY, ENGLAND
MENTAL HEALTH, ENGLAND
PROFESSIONAL QUALIFICATIONS, ENGLAND**

The Social Workers Regulations 2018

*Made - - - - - ***
Coming into force in accordance with
regulation 1(2) and (3)*

THE SOCIAL WORKERS REGULATIONS 2018

PART 1

1. Citation and commencement
2. Interpretation

PART 2

3. Procedure for making rules
4. Appointment and functions of advisers to the regulator
5. Rules relating to advisers
6. Information and advice
7. Duty to co-operate

PART 3

8. Appointment of the registrar and keeping of the register
9. Content of the register
10. Procedure for registration
11. Determination of eligibility for registration

12. Annotation of entries in the register
13. Renewal of registration
14. Removal from the register
15. Restoration to the register
16. Duty to provide information to the regulator
17. Fees for registration
18. Visiting social work professionals from relevant European States
19. Registration appeals

PART 4

20. Education and training approval scheme
21. Inspections
22. Conditional approval
23. Refusal, and withdrawal, of approval
24. Fees in relation to approval

PART 5

25. Fitness to practise proceedings
26. Automatic removal from the register
27. Appeals against automatic removal from the register

PART 6

28. Carrying out social work in England and use of title
29. Holding out of a person as qualified to carry out social work in England
30. Offences in connection with registration
31. Offences in connection with restrictions on practice and protected titles
32. Offences in connection with the provision of information
33. Offences under this Part

PART 7

34. Referral of cases by the Authority to the High Court
35. Power of the Secretary of State to investigate
36. The procedure for giving remedial directions
37. Failure to comply with a remedial direction
38. Payment by the regulator of expenses incurred

PART 8

39. Amendments to the Mental Health Act 1983
40. Amendment to the Equality Act 2010
41. Amendments to the Health and Social Work Professions Order 2001
42. Amendment to the European Communities (Recognition of Professional Qualifications) Regulations 2007
43. Amendments to the Mental Health (Approved Mental Health Professionals) (Approval) (England) Regulations 2008
44. Amendments to the Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008
45. Amendments to the European Union (Recognition of Professional Qualifications) Regulations 2015

46. Amendment to the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017
Signature
-

SCHEDULE 1 — Recognised qualifications

1. A person has a recognised qualification if they—
2. In considering whether an exempt person to whom paragraph (1)(c)...
3. The regulator must make rules setting out procedures to—

SCHEDULE 2 — Fitness to practise proceedings

PART 1 — Triage

1. Triage
2. Determination by the regulator that there are no reasonable grounds

PART 2 — Investigation

3. Commencement of investigation
4. Notifying the social worker and the complainant
5. Obtaining further information and referral to case examiners
6. Determination by case examiners
7. (1) Where the case examiners determine that there is a...
8. Interim orders
9. Disposal without hearing

PART 3 — Fitness to practise hearing

10. Commencement of hearing procedure
11. Interim orders
12. Determination by adjudicators
13. Final orders

PART 4 — Review of orders

14. Review of interim orders
15. Review of final orders

PART 5 — Appeals

16. (1) A social worker may appeal to the High Court...

SCHEDULE 3 — Listed offences

1. Murder.
2. An offence under any of the following provisions of the...
3. An offence under any of sections 9 to 12 of...
4. An offence under any of the following provisions of the...
5. An offence under any of the following provisions of the...
6. An offence under either of the following provisions of the...
7. An offence under either of the following provisions of the...
8. Extortion (in Scotland).
9. An offence under section 21 of the Theft Act 1968...
10. An offence under section 20 of the Theft Act (Northern...
11. An offence under section 3 of the Sexual Offences Act...
12. An offence under article 7 of the Sexual Offences (Northern...
13. An offence under section 3 of the Sexual Offences (Scotland)...

Explanatory Note