
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 224

SOCIAL CARE

The Scottish Social Services Council (Appointments, Procedure and Access to the Register) Amendment Regulations 2010

<i>Made</i>	- - - -	<i>7th June 2010</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>8th June 2010</i>
<i>Coming into force</i>	- -	<i>4th July 2010</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 56(1)(b) of the Regulation of Care (Scotland) Act 2001⁽¹⁾ and all other powers enabling them to do so.

In accordance with section 56(2) of that Act they have consulted with such persons and groups of persons as they consider appropriate.

Citation and commencement

1. These Regulations may be cited as the Scottish Social Services Council (Appointments, Procedure and Access to the Register) Amendment Regulations 2010 and come into force on 4th July 2010.

Amendment of the Scottish Social Services Council (Appointments, Procedure and Access to the Register) Regulations 2001

2.—(1) The Scottish Social Services Council (Appointments, Procedure and Access to the Register) Regulations 2001⁽²⁾, are amended in accordance with the following paragraphs.

(2) In regulation 13(2)(a)(iv) after “conditions” insert “or warnings”.

(3) In regulation 13(2)(a)(v) omit “and”.

(4) For regulation 13(2)(a)(vi) substitute—

“(vi) where a person’s name has been removed from the register, that fact and the date of the removal;
and

(vii) where registration has been suspended, the name of the person suspended, the reasons for the suspension, the date the suspension came into effect and the length of the suspension period,

(1) 2001 asp 8; see section 77 for the definition of “regulations”.

(2) S.S.I. 2001/303, amended by S.S.I. 2002/60 and S.I. 2003/1590.

except where the Council is satisfied that the disclosure of the matters mentioned in sub-paragraph (a) (iv)-(vii) could reasonably be expected to expose the person(s) registered, removed or suspended from the register to danger.”.

(5) For regulation 13(2)(b), substitute—

“(b) where the person seeking access is not a relevant employer;

(i) the matters set out in sub-paragraphs (a)(i) and (ii);

(ii) the postal town in which the place of employment referred to in sub-paragraph (a) (iii) is located; and

(iii) the matters set out in sub-paragraphs (vi) and (vii),

except where the Council is satisfied that the disclosure of such matters could reasonably be expected to expose the person registered, removed or suspended from the register to danger.”.

St Andrew’s House,
Edinburgh
7th June 2010

ADAM INGRAM
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Scottish Social Services Council (Appointments, Procedure and Access to the Register) Regulations 2001 ([S.S.I. 2001/303](#)) (“the principal Regulations”). The principal Regulations permit the disclosure of information relating to a person suspended from the register maintained by the Scottish Social Services Council (the SSSC) but also give the SSSC discretion to withhold information about the address of a person if disclosing such information could be considered to cause danger to that person. These Regulations extend the discretion of the SSSC to withhold information regarding any removals or suspensions from the register if disclosing such information could be considered to cause danger to the person to whom the entry relates.

Regulation 2(2) also provides for any warnings placed on the register by the SSSC to be disclosed to a relevant employer.