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DRAFT STATUTORY INSTRUMENTS

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**2010 No.**

**The Health and Social Care Act 2008  
(Regulated Activities) Regulations 2010**

**PART 4**

**QUALITY AND SAFETY OF SERVICE PROVISION  
IN RELATION TO REGULATED ACTIVITY**

**Requirements relating to workers**

**21.** The registered person must—

- (a) operate effective recruitment procedures in order to ensure that no person is employed for the purposes of carrying on a regulated activity unless that person—
  - (i) is of good character,
  - (ii) has the qualifications, skills and experience which are necessary for the work to be performed, and
  - (iii) is physically and mentally fit for that work;
- (b) ensure that information specified in Schedule 3 is available in respect of a person employed for the purposes of carrying on a regulated activity, and such other information as is appropriate;
- (c) ensure that a person employed for the purposes of carrying on a regulated activity is registered with the relevant professional body where such registration is required by, or under, any enactment in relation to—
  - (i) the work that the person is to perform, or
  - (ii) the title that the person takes or uses; and
- (d) take appropriate steps in relation to a person who is no longer fit to work for the purposes of carrying on a regulated activity including—
  - (i) where the person is a health care professional, informing the body responsible for regulation of the health care profession in question, or
  - (ii) where the person is a social care worker registered with the General Social Care Council, informing the Council<sup>(1)</sup>.

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(1) The General Social Care Council is established under Part 5 of the Care Standards Act 2000 (c.14). See section 55 of that Act for the definition of “social care worker”, and S.I. 2004/561.