

HEALTH AND SOCIAL CARE ACT 2008

EXPLANATORY NOTES

TERRITORIAL EXTENT

Regulation of social care workforce

Section 124: Regulation of social care workers

382. [Section 124](#) enables the Secretary of State (in relation to England) and the Welsh Ministers (in relation to Wales) to make regulations modifying the regulation of social care workers. Regulations may amend or repeal any enactment (subject to paragraphs 3 and 8 of Schedule 9). *Subsection (3)* defines “social care worker” by reference to the definition in section 55 of the Care Standards Act 2000.
383. *Subsection (4)* makes it clear that certain matters are covered by the references to the regulation of social care workers and are therefore within the scope of regulations under section 124. Paragraphs (a) and (b) cover social care workers who fall within the definition in section 55 of the Care Standards Act 2000 but who are not yet subject to registration, those who have applied for registration but are not yet registered, and those who have been, but are no longer, registered. Paragraph (c) makes it possible (if thought necessary or expedient in the future) to regulate activities carried on by persons who are not social care workers in connection with activities carried on by social care workers.
384. It is intended that regulations will be made to enable the legislative framework governing the social care workforce to be kept up to date, to take account of changing public expectations of the workforce and to take account of the workforce’s own views about the development of their regulation. New responsibilities can also be given to the Councils.
385. [Schedule 9](#) supplements section 124.