

SCHEDULES

SCHEDULE 5

Section 62

AMENDMENTS TO DO WITH PART 2

PART 1

GENERAL AMENDMENTS

London County Council (General Powers) Act 1920

- 1 In section 18(e) of the London County Council (General Powers) Act 1920, after “under the Health and Social Work Professions Order 2001” insert “or section 39(1) of the Children and Social Work Act 2017”.

Medicines Act 1968

- 2 In section 58 of the Medicines Act 1968, omit subsection (1ZA).

Video Recordings Act 1984

- 3 In section 3 of the Video Recordings Act 1984, omit subsection (11A).

London Local Authorities Act 1991

- 4 In section 4 of the London Local Authorities Act 1991, in paragraph (c) of the definition of “establishment for special treatment”, after “under the Health and Social Work Professions Order 2001” insert “or section 39(1) of the Children and Social Work Act 2017”.

Value Added Tax Act 1994

- 5 In Part 2 of Schedule 9 to the Value Added Tax Act 1994, in the Notes to Group 7, omit note (2ZA).

Data Protection Act 1998

- 6 In section 69(1) of the Data Protection Act 1998, in paragraph (h), omit the words from “, except in so far” to the end.

Care Standards Act 2000

- 7 The Care Standards Act 2000 is amended as follows.
- 8 (1) Section 55 is amended as follows.

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- (2) In subsection (2) as substituted by the Regulation and Inspection of Social Care (Wales) Act 2016, omit paragraph (a).
 - (3) Until the coming into force of the substitution of subsection (2) by the Regulation and Inspection of Social Care (Wales) Act 2016, the old version has effect as if in paragraph (a) after “social work” there were inserted “in Wales”.
 - (4) In subsection (3) as substituted by the Regulation and Inspection of Social Care (Wales) Act 2016, omit paragraph (k).
- 9 (1) Section 67 is amended as follows.
- (2) Omit subsection (1A).
 - (3) In subsection (2) as substituted by the Regulation and Inspection of Social Care (Wales) Act 2016—
 - (a) omit paragraph (a) (including the “and” at the end), and
 - (b) in paragraph (b), omit “other”.
 - (4) Until the coming into force of the substitution of subsection (2) by the Regulation and Inspection of Social Care (Wales) Act 2016, the old version has effect as if the words from “courses”, in the first place it occurs, to “social workers” were omitted.

Health and Social Work Professions Order 2001

- 10 The Health and Social Work Professions Order 2001 ([SI 2002/254](#)) is amended as follows.
- 11 (1) Article 3 is amended as follows.
- (2) In paragraph (5)(b)—
 - (a) in paragraph (ii), after “registrants or” insert “other”;
 - (b) at end of paragraph (iv) insert “and”;
 - (c) omit paragraphs (vi) and (vii).
 - (3) Omit paragraph (5AA).
- 12 In article 6(3)(aa), omit “or social work”.
- 13 In article 7(4), omit “or social work”.
- 14 (1) Article 9 is amended as follows.
- (2) Omit paragraph (3A).
 - (3) In paragraph (8), omit “or social work”.
- 15 (1) Article 10 is amended as follows.
- (2) In paragraph (6), omit “or social work”.
 - (3) Omit paragraph (7).
- 16 In article 11A, omit paragraph (11).
- 17 (1) Article 12 is amended as follows.
- (2) In paragraph (1)—
 - (a) at the end of sub-paragraph (b) insert “or”;

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- (b) omit sub-paragraph (d) and the “or” before it.
- (3) In paragraph (2)—
 - (a) at the end of sub-paragraph (a) insert “and”;
 - (b) omit sub-paragraph (c) and the “and” before it.
- 18 (1) Article 13 is amended as follows.
 - (2) In paragraph (1), omit “or (1B)”.
 - (3) Omit paragraph (1B).
- 19 For the heading of article 13A substitute “Visiting health professionals from relevant European States”.
- 20 Omit article 13B.
- 21 In article 19(2A)(b), omit “or social work”.
- 22 In article 20, omit the words from “; but the reference” to the end.
- 23 (1) Article 37 is amended as follows.
 - (2) In paragraph (1)(aa), omit “or social work”.
 - (3) Omit paragraph (1B).
 - (4) In paragraph (5A)(a), omit the words from “or registered as a social worker” to the end of that sub-paragraph.
 - (5) In paragraph (8), omit “(other than a hearing on an appeal relating to a social worker in England)”.
 - (6) Omit paragraph (8A).
- 24 (1) Article 38 is amended as follows.
 - (2) Omit paragraph (1ZA).
 - (3) In paragraph (4), omit “(subject to paragraph (5))”.
 - (4) Omit paragraph (5).
- 25 In article 39, omit paragraph (1A).
- 26 In Schedule 1, in paragraph 1A(1)(b), omit paragraph (ia) (but not the “and” at the end).
- 27 (1) In Schedule 3, paragraph 1 is amended as follows.
 - (2) In the definition of “visiting health or social work professional from a relevant European state”, omit “or social work” in both places.
 - (3) In the definition of “relevant professions”, omit “social workers in England;”.
 - (4) Omit the definition of “social worker in England”.

Adoption and Children Act 2002

- 28 (1) In section 10 of the Adoption and Children Act 2002, in subsection (2), for “, one of the registers maintained under” substitute “—

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- (a) the register of social workers in England maintained under section 39 of the Children and Social Work Act 2017,
 - (b) any register of social care workers in England maintained under an Order in Council under section 60 of the Health Act 1999 or any register maintained under such an Order in Council so far as relating to social care workers in England, or
 - (c) the register maintained under”.”
- (2) Until the coming into force of the amendment made by sub-paragraph (1), section 10(2) of the Adoption and Children Act 2002 is to have effect as if the reference to the registers mentioned there included a reference to the part of the register maintained under article 5 of the Health and Social Work Professions Order 2001 that relates to social workers in England.

Income Tax (Earnings and Pensions) Act 2003

- 29 In section 343(2) of the Income Tax (Earnings and Pensions) Act 2003, in paragraph 1 of the Table, after sub-paragraph (r) insert—
- “(s) the register of social workers in England kept under section 39(1) of the Children and Social Work Act 2017.”

National Health Service Act 2006

- 30 In section 126 of the National Health Service Act 2006, for subsection (4A) substitute—
- “(4A) Subsection (4)(h) does not apply to persons in so far as they are registered as social care workers in England (within the meaning of section 60 of the Health Act 1999).”

National Health Service (Wales) Act 2006

- 31 In section 80 of the National Health Service (Wales) Act 2006, for subsection (4A) substitute—
- “(4A) Subsection (4)(h) does not apply to persons in so far as they are registered as social care workers in England (within the meaning of section 60 of the Health Act 1999).”

Armed Forces Act 2006

- 32 In section 257(3) of the Armed Forces Act 2006, for paragraph (a) substitute—
- “(a) Social Work England;”.

Safeguarding Vulnerable Groups Act 2006

- 33 The Safeguarding Vulnerable Groups Act 2006 is amended as follows.

- 34 In section 41(7), in the table, after entry 10 insert—

<p>““11 The register of social workers in England kept under section 39(1) of the Children and Social Work Act 2017</p>		<p>The registrar appointed under section 39(3)(a) of the Children and Social Work Act</p>
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2017 or, in the absence of such an appointment, Social Work England.”

- 35 In Schedule 3, in paragraph 16(4), after paragraph (l) insert—
“(m) Social Work England.”

Protection of Vulnerable Groups (Scotland) Act 2007 (asp 14)

- 36 In section 30A(6) of the Protection of Vulnerable Groups (Scotland) Act 2007—
(a) omit “the social work profession in England or”;
(b) for “each of those expressions having the same meaning as in” substitute “within the meaning of”.

Children and Young Persons Act 2008

- 37 (1) In section 2 of the Children and Young Persons Act 2008, in subsection (6), for paragraph (a) substitute—
“(a) in the register maintained by Social Work England under section 39(1) of the Children and Social Work Act 2017;”
(2) Until the coming into force of the amendment made by sub-paragraph (1), section 2(6)(a) of the Children and Young Persons Act 2008 is to have effect as if the reference to the register mentioned there were to a register maintained under article 5 of the Health and Social Work Professions Order 2001.

Health and Social Care Act 2012

- 38 In the Health and Social Care Act 2012 omit sections 213, 215 and 216.

Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2)

- 39 The Regulation and Inspection of Social Care (Wales) Act 2016 is amended as follows.
- 40 In section 111(4)(b)—
(a) in the Welsh text, for “Cyngor y Proffesiynau Iechyd a Gofal” substitute “Gwaith Cymdeithasol Lloegr”;
(b) in the English text, for “the Health and Care Professions Council” substitute “Social Work England”.
- 41 In section 117(4)(a)—
(a) in the Welsh text, after “Gofal” insert “neu Waith Cymdeithasol Lloegr”;
(b) in the English text, after “Council” insert “or Social Work England”.
- 42 In section 119(4)(a)(ii)—
(a) in the Welsh text, for “y Cyngor Proffesiynau Iechyd a Gofal” substitute “Gwaith Cymdeithasol Lloegr”;
(b) in the English text, for “the Health and Care Professions Council” substitute “Social Work England”.
- 43 In section 125(5)(a)(ii)—
(a) in the Welsh text, for “y Cyngor Proffesiynau Iechyd a Gofal” substitute “Gwaith Cymdeithasol Lloegr”;

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- (b) in the English text, for “the Health and Care Professions Council” substitute “Social Work England”.

44 In section 174(5)(a)(ii)—

- (a) in the Welsh text, for “Cyngor y Proffesiynau Iechyd a Gofal” substitute “Gwaith Cymdeithasol Lloegr”;
- (b) in the English text, for “the Health and Care Professions Council” substitute “Social Work England”.

PART 2

RENAMING OF HEALTH AND SOCIAL WORK PROFESSIONS ORDER 2001

45 For the title to the Health and Social Work Professions Order 2001 ([SI 2002/254](#)) substitute “Health Professions Order 2001”.

46 In article 1(1) of that Order (citation), for “the Health and Social Work Professions Order 2001” substitute “the Health Professions Order 2001”.

47 In the following provisions, for “the Health and Social Work Professions Order 2001” substitute “the Health Professions Order 2001”—

- (a) section 18(e) of the London County Council (General Powers) Act 1920;
- (b) section 3(11) of the Video Recordings Act 1984;
- (c) 114ZA(4) of the Mental Health Act 1983;
- (d) paragraph (E) in the entry for the London County Council (General Powers) Act 1920 in Schedule 2 to the Greater London Council (General Powers) Act 1984;
- (e) paragraph (c) of the definition of “establishment for special treatment” in section 4 of the London Local Authorities Act 1991;
- (f) item 1(c) in Group 7, in Part 2 of Schedule 9 to the Value Added Tax Act 1994;
- (g) section 69(1)(h) of the Data Protection Act 1998;
- (h) section 60(2)(c) of the Health Act 1999;
- (i) sections 25C(8)(h) and 29(1)(j) of the National Health Service Reform and Health Care Professions Act 2002;
- (j) section 126(4)(a) of the National Health Service Act 2006;
- (k) section 80(4)(a) of the National Health Service (Wales) Act 2006;
- (l) entry 10 in the table in section 41(7) of the Safeguarding Vulnerable Groups Act 2006.

48 In the definition of “registered psychologist” in each of the following provisions, for “the Health and Social Work Professions Order 2001” substitute “the Health Professions Order 2001”—

- (a) section 307(1) of the Criminal Procedure (Scotland) Act 1995;
- (b) section 207(6) of the Criminal Justice Act 2003;
- (c) section 21(2)(b) of the Criminal Justice (Scotland) Act 2003;
- (d) section 25 of the Gender Recognition Act 2004.