

SCHEDULE

Consequential amendments and other provision

Part 2

Amendments and other provision consequential on abolition of the General Social Care Council and the transfer of its register of social workers

Jobseeker’s Allowance Regulations 1996

70. In regulation 14A of the Jobseeker’s Allowance Regulations 1996⁽¹⁾ (circumstances in which a person is to be treated as available—domestic violence), in paragraph (10), in the definition of “registered social worker”, for paragraph (a) substitute—

“(a) the Health and Care Professions Council.”

Public Interest Disclosure (Prescribed Persons) Order 1999

71. In the Schedule to the Public Interest Disclosure (Prescribed Persons) Order 1999⁽²⁾ (persons to whom protected disclosures may be made), omit the entry for the General Social Care Council.

Northern Ireland Social Care Council (Appointments and Procedure) Regulations (Northern Ireland) 2001

72. In regulation 4 of the Northern Ireland Social Care Council (Appointments and Procedure) Regulations (Northern Ireland) 2001⁽³⁾ (disqualification for appointment), in paragraph (1)—

- (a) in sub-paragraph (e), for “General Social Care Council,” substitute “Health and Care Professions Council,”;
- (b) in sub-paragraph (f), after “of the Act,” insert “in Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001,”.

Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004

73. In Schedule 1 to the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004⁽⁴⁾ (Employment Tribunals rules of procedure), in the Annex⁽⁵⁾ (list of regulators), omit the entry for the General Social Care Council.

Adoption Agencies Regulations 2005

74.—(1) The Adoption Agencies Regulations 2005⁽⁶⁾ are amended as follows.

(2) In regulation 2 (interpretation), in the definition of “social worker”, for “a register maintained by the General Social Care Council or” substitute “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001, in the register maintained by”.

(1) [S.I. 1996/207](#). Regulation 14A was inserted by [S.I. 2012/853](#).

(2) [S.I. 1999/1549](#). The Schedule was substituted by [S.I. 2003/1993](#); there are no amendments relevant to the entry for the General Social Care Council.

(3) [S.R. \(NI\) 2001 No. 313](#).

(4) [S.I. 2004/1861](#).

(5) The Annex was inserted by [S.I. 2010/131](#) and amended by [S.I. 2011/2581](#) and [2012/725](#).

(6) [S.I. 2005/389](#).

(3) In regulation 37 (independent reviewing officers), in paragraph (2), for “a register maintained by the General Social Care Council or” substitute “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001, in the register maintained”.

Adoption Agencies (Wales) Regulations 2005

75.—(1) In regulation 2 of the English language text of the Adoption Agencies (Wales) Regulations 2005(7) (interpretation), in the definition of “social worker”, for “a register maintained by the Care Council for Wales or the General Social Care Council under section 56 of the Care Standards Act 2000” substitute “the register maintained by the Care Council for Wales under section 56 of the Care Standards Act 2000, in Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001.”.

(2) In regulation 2 of the Welsh language text of those regulations (Rheoliadau Asiantaethau Mabwysiadu (Cymru) 2005) (dehongli), in the definition of “gweithiwr cymdeithasol”, for “mewn cofrestr a gynhelir gan Gyngor Gofal Cymru neu’r Cyngor Gofal Cymdeithasol Cyffredinol o dan adran 56 o Ddeddf Safonau Gofal 2000” substitute “yn y gofrestr a gynhelir gan Gyngor Gofal Cymdeithasol Cymru o dan adran 56 o Ddeddf Safonau Gofal 2000, yn Rhan 16 o’r gofrestr a gynhelir gan Gyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001.”.

Regulation of Care (Social Service Workers) (Scotland) Order 2005

76. In article 3 of the Regulation of Care (Social Service Workers) (Scotland) Order 2005(8) (persons excluded from description of social service worker), in paragraph (1), omit subparagraph (a).

Regulation of Care (Prescribed Registers) (Scotland) Order 2005

77. In article 2 of the Regulation of Care (Prescribed Registers) (Scotland) Order 2005(9) (prescribed registers), for paragraph (a) substitute—

“(a) Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001;”.

Registration of Social Care Workers (Relevant Registers) Regulations (Northern Ireland) 2005

78. In regulation 2 of the Registration of Social Care Workers (Relevant Registers) Regulations (Northern Ireland) 2005(10) (prescription of relevant registers), for paragraph (a) substitute—

“(a) Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001;”.

Permitted Persons (Designation) Order 2006

79. In article 2 of the Permitted Persons (Designation) Order 2006(11) (which designates persons who may make disclosures to the Judicial Appointments Commission), in entry no. 12, for “the General Social Care Council;” substitute “the Health and Care Professions Council (but in relation to social workers only);”.

(7) [S.I. 2005/1313 \(W. 95\)](#).

(8) [S.S.I. 2005/318](#). Article 3 has been amended by [S.I. 2009/1182](#) and [2010/231](#).

(9) [S.S.I. 2005/432](#).

(10) [S.R. \(NI\) 2005 No. 227](#).

(11) [S.I. 2006/679](#).

Review of Children’s Cases (Wales) Regulations 2007

80.—(1) In regulation 3 of the English language text of the Review of Children’s Cases (Wales) Regulations 2007(**12**) (independent reviewing officers), in paragraph (3)—

- (a) omit “or by the General Social Care Council,” and
- (b) after “2000” insert “, in Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001,”.

(2) Regulation 3 of the Welsh language text of those regulations (Rheoliadau Adolygu Achosion Plant (Cymru) 2007) (swyddogion adolygu annibynnol), in paragraph (3)—

- (a) omit “neu gan y Cyngor Gofal Cymdeithasol Cyffredinol,” and
- (b) after “2000” insert “, yn Rhan 16 o’r gofrestr a gynhelir gan Gyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001,”.

Lasting Powers of Attorney, Enduring Powers of Attorney and Public Guardian Regulations 2007

81. In regulation 8 of the Lasting Powers of Attorney, Enduring Powers of Attorney and Public Guardian Regulations 2007(**13**) (persons who may provide an LPA certificate), in paragraph (4), in the definition of “registered social worker”, for paragraph (a) substitute—

- “(a) the Health and Care Professions Council;”.

European Communities (Recognition of Professional Qualifications) Regulations 2007

82. In the European Communities (Recognition of Professional Qualifications) Regulations 2007(**14**), in Schedule 1 (regulated professions), in the entry for “Social Worker in England” in the Table in Part 1, in column 2, for “General Social Care Council” substitute “Health and Care Professions Council”.

Legislative and Regulatory Reform (Regulatory Functions) Order 2007

83. In the Schedule to the Legislative and Regulatory Reform (Regulatory Functions) Order 2007(**15**) (which lists regulatory functions to which sections 21 and 22 of the Legislative and Regulatory Reform Act 2006 apply), in Part 1A, omit “The General Social Care Council”.

Mental Health (Approved Mental Health Professionals) (Approval) (England) Regulations 2008

84.—(1) The Mental Health (Approved Mental Health Professionals) (Approval) (England) Regulations 2008(**16**) are amended as follows.

- (2) In regulation 2 (interpretation), omit the definition of “General Social Care Council”.
- (3) In regulation 3 (granting approval as AMHP), in paragraph (3), for “the General Social Care Council or” substitute “the Health and Care Professions Council under section 114ZA of the Mental Health Act 1983 or by”(17).
- (4) In Schedule 1 (professional requirements)—

(12) [S.I. 2007/307 \(W. 26\)](#).

(13) [S.I. 2007/1253](#).

(14) [S.I. 2007/2781](#); there are no amendments relevant to the entry in Schedule 1 for “Social Worker in England”.

(15) [S.I. 2007/3544](#). Part 1A of the Schedule was inserted by [S.I. 2009/2981](#).

(16) [S.I. 2008/1206](#).

(17) Section 114ZA of the Mental Health Act 1983 ([c.20](#)) is inserted by section 217(2) of the Health and Social Care Act 2012 ([c.7](#)).

- (a) omit paragraph (a), and
- (b) in paragraph (c), after “Part 6” insert “, or a social worker registered in Part 16.”.

(5) In relation to a course approved before 1st August 2012, regulations 2 and 3 of these Regulations are to be treated as continuing to have effect as if they had not been amended by sub-paragraphs (2) and (3) of this paragraph.

Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008

85.—(1) The Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008(18) are amended as follows.

- (2) In regulation 2 (interpretation), omit the definition of “General Social Care Council”.
- (3) In regulation 5 (eligibility to carry out a best interests assessment), in paragraph (2)—
 - (a) omit sub-paragraph (b), and
 - (b) in sub-paragraph (d), after “Part 6” insert “, or a social worker registered in Part 16.”.

Independent Review of Determinations (Adoption and Fostering) Regulations 2009

86. In regulation 2 of the Independent Review of Determinations (Adoption and Fostering) Regulations 2009(19) (interpretation), in the definition of “social worker”, for “in a register maintained by the General Social Care Council or” substitute “in Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001, in a register maintained by”.

Independent Review of Determinations (Adoption and Fostering) (Wales) Regulations 2010

87.—(1) In regulation 2 of the English language text of the Independent Review of Determinations (Adoption and Fostering) (Wales) Regulations 2010(20) (interpretation), in the definition of “social worker”, for “in a register maintained by the General Social Care Council or” substitute “in Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001, in a register maintained by”.

(2) In regulation 2 of the Welsh language text of those Regulations 2010 (**Rheoliadau Adolygu Penderfyniadau'n Annibynnol (Mabwysiadu a Maethu) (Cymru) 2010**) (dehongli), in the definition of “gweithiwr cymdeithasol”, for “ar gofrestr a gynhelir gan y Cyngor Gofal Cymdeithasol Cyffredinol neu” substitute “yn Rhan 16 o'r gofrestr a gynhelir gan Gyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001, mewn cofrestr a gynhelir gan”.

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

88.—(1) The Health and Social Care Act 2008 (Regulated Activities) Regulations 2010(21) are amended as follows.

(2) In regulation 21 (requirements relating to workers), in paragraph (d)(ii), for “social care worker registered with the General Social Care Council,” substitute “social worker registered in Part 16 of the register maintained by the Health and Care Professions Council,”.

(18) S.I. 2008/1858.

(19) S.I. 2009/395.

(20) S.I. 2010/746 (W. 75).

(21) S.I. 2010/781.

(3) In Schedule 1 (regulated activities), in paragraph 5 (treatment of disease, disorder or injury), in sub-paragraph (4)(g), for “with” to the end substitute “in Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001.”.

Care Planning, Placement and Case Review (England) Regulations 2010

89. In regulation 46 of the Care Planning, Placement and Case Review (England) Regulations 2010⁽²²⁾ (qualifications and experience of independent reviewing officers), in paragraph (1), for “a register maintained by the General Social Care Council or” substitute “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001, in the register maintained”.

Scottish Parliament (Disqualification) Order 2010

90. In Part 1 of the Schedule to the Scottish Parliament (Disqualification) Order 2010⁽²³⁾ (office-holders disqualified from being a member of the Scottish Parliament), omit “Any member of the General Social Care Council.”.

Fostering Services (England) Regulations 2011

91. In regulation 23 of the Fostering Services (England) Regulations 2011⁽²⁴⁾ (constitution and membership of fostering panel), in paragraph (10)(b), for “a register maintained by the General Social Care Council or” substitute “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001, in the register maintained”.

Arrangements for Placement of Children by Voluntary Organisations and Others (England) Regulations 2011

92. In regulation 18 of the Arrangements for Placement of Children by Voluntary Organisations and Others (England) Regulations 2011⁽²⁵⁾ (appointment of independent reviewing officer), in paragraph (2), for “a register maintained by the General Social Care Council or” substitute “Part 16 of the register maintained by the Health and Care Professions Council under article 5 of the Health and Social Work Professions Order 2001, in the register maintained”.

Mental Health (Care Co-ordination and Care and Treatment Planning) (Wales) Regulations 2011

93.—(1) In Schedule 1 to the English language text of the Mental Health (Care Co-ordination and Care and Treatment Planning) (Wales) Regulations 2011⁽²⁶⁾ (professional requirements), in paragraph (a), for “the General Social Care Council” substitute “in Part 16 of the register maintained under article 5 of the Health and Social Work Professions Order 2001”.

(2) In Schedule 1 to the Welsh language text of those regulations (Rheoliadau Iechyd Meddwl (Cydgysylltu Gofal a Chynllunio Gofal a Thriniaeth) (Cymru) 2011), (gofynion proffesiynol), in paragraph (a), for “y Cyngor Gofal Cymdeithasol Cyffredinol” substitute “yn Rhan 16 o'r gofrestr a gynhelir gan Gyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001”.

(22) [S.I. 2010/959](#).

(23) [S.I. 2010/2476](#).

(24) [S.I. 2011/581](#).

(25) [S.I. 2011/582](#).

(26) [S.I. 2011/2942 \(W. 318\)](#).

Integrated Family Support Teams (Composition of Teams and Board Functions) (Wales) Regulations 2012

94.—(1) In regulation 1(2) of the English language text of the Integrated Family Support Teams (Composition of Teams and Board Functions) (Wales) Regulations 2012(**27**) (interpretation), in the definition of “social worker”, omit “the General Social Care Council.”

(2) In regulation 1(2) of the Welsh language text of those regulations (**Rheoliadau Timau Integredig Cymorth i Deuluoedd (Cyfansoddiad Timau a Swyddogaethau Byrddau) (Cymru) 2012**) (dehongli), in the definition of “gweithiwr cymdeithasol”, omit “y Cyngor Gofal Cymdeithasol Cyffredinol”.

Mental Health (Primary Care Referrals and Eligibility to Conduct Primary Mental Health Assessments) (Wales) Regulations 2012

95.—(1) In the Schedule to the English language text of the Mental Health (Primary Care Referrals and Eligibility to Conduct Primary Mental Health Assessments) (Wales) Regulations 2012(**28**) (professional requirements), in paragraph 1(a), for “the General Social Care Council” substitute “in Part 16 of the register maintained under article 5 of the Health and Social Work Professions Order 2001”.

(2) In the Schedule to the Welsh language text of those regulations (**Rheoliadau Iechyd Meddwl (Atgyfeiriadau Gofal Sylfaenol a Chymhwysra i Gynnal Aseidiadau Iechyd Meddwl Sylfaenol) (Cymru) 2012**) (gofynion proffesiynol) in paragraph 1(a), for “y Cyngor Gofal Cymdeithasol Cyffredinol” substitute “yn Rhan 16 o'r gofrestr a gynhelir gan Gyngor Proffesiynau Iechyd a Gofal o dan erthygl 5 o Orchymyn Proffesiynau Iechyd a Gwaith Cymdeithasol 2001”.

(27) S.I. 2012/202 (W. 33).

(28) S.I. 2012/1305 (W. 166).