
STATUTORY INSTRUMENTS

2013 No. 2668

**The Providers of Social Work
Services (England) Regulations 2013**

PART 5

Conditions and Reports

Application for cancellation of registration

23.—(1) In this regulation—

“application for cancellation” means an application by the registered provider or manager under section 15(1)(b) of the Act for the cancellation of that person’s registration;

“notice of application for cancellation” means a notice by the registered provider or manager stating that they have made, or intend to make, an application for cancellation; and

“proposed effective date” means the date requested by the registered person as the date on which the variation or removal applied for is to take effect.

(2) An application for cancellation must be—

- (a) in writing on a form approved by HMCI;
- (b) sent or delivered to HMCI not less than three months before the proposed effective date or such shorter period (if any) before that date as may be agreed with HMCI; and
- (c) accompanied by the information specified in paragraph (4).

(3) If the registered provider or manager makes an application for cancellation the registered provider or manager must, not more than seven days thereafter, give notice of the application for cancellation to each of the persons specified in paragraph (4)(d), other than a person to whom the registered provider or manager has given such notice within three months before making the application for cancellation.

(4) The following information is specified—

- (a) the proposed effective date;
- (b) a statement as to the arrangements (if any) that have been made by the registered provider to ensure that on and after—
 - (i) the date of application for cancellation; and
 - (ii) the proposed effective date,

service users will continue to be provided with similar services as those provided to them by the social work service at the date on which the application for cancellation is made;

- (c) the registered provider’s or manager’s reasons for making the application for cancellation;
- (d) particulars of any notice of application for cancellation that has been given to any of the following persons—
 - (i) service users;

- (ii) persons who appear to the registered provider to be representatives of service users; and
 - (iii) the local authority with whom the provider is contracted to provide the social work service;
- (e) where the registered provider has not given notice of an application for cancellation to—
- (i) each service user;
 - (ii) in respect of each service user, a person who appears to the registered provider to be a representative of that service user; and
 - (iii) the local authority,

a statement as to whether there were any circumstances which prevented the registered provider from giving, or made it impracticable for that person to give, notice of an application for cancellation to any of those persons or bodies before the date on which the registered provider applied for cancellation;

- (f) where the registered provider has applied for cancellation less than three months before the proposed effective date, a report as to whether the corporate body has ceased, or is likely to cease within the next following twelve months, to be financially viable.
- (5) The registered provider or manager must provide HMCI with any other information or any documents that it may reasonably require in relation to the application for cancellation.