

**THE SOCIAL CARE WALES**

**(REGISTRATION)**

**RULES 2021**

**June 2021**

The regulation of the registration and fitness to practise of the social care workforce by Social Care Wales is governed by three types of legal documents, which are **all** applicable to the registration and fitness to practise of registered persons:

* **Regulation and Inspection of Social Care (Wales) Act 2016 (the Act);**
* **Welsh Government Regulations;**
* **Social Care Wales’ suite of Registration Rules and Fitness to Practise Rules.**

Neither the content of the Act nor the Regulations are contained in these Rules. You should therefore read the content of the Act and the Regulations in conjunction with the Rules to provide a comprehensive understanding of the registration and fitness to practise procedures.

The Act is available at: <http://www.legislation.gov.uk/anaw/2016/2/contents/enacted>.

The Regulations are listed below and can be found at - <http://www.legislation.gov.uk/wsi>

* The Social Care Wales (Extension of Meaning of “Social Care Worker”) Regulations 2016
* The Social Care Wales (Specification of Social Care Workers) (Registration) Regulations 2016
* The Social Care Wales (Content of Register) Regulations 2016
* The Social Care Wales (List of Persons Removed from the Register) Regulations 2016
* The Social Care Wales (Constitution of Panels: Prescribed Persons) Regulations 2016
* The Social Care Wales (Proceedings before Panels) Regulations 2016
* The Social Care Wales (Proceedings before Panels) (Amendment) Regulations 2017
* The Social Care Wales (Specification of Social Care Workers) (Registration) (Amendment) Regulations 2018
* Social Care Wales (Specification of Social Care Workers) (Registration) (Amendment) Regulations 2020

The Social Care Wales rules are available at:

<https://socialcare.wales/collections/social-care-wales-2017-rules>

Social Care Wales, in exercise of its powers under sections 73(2) and (4) and 91(2) of the Regulation and Inspection of Social Care (Wales) Act 2016 (“the Act”) and of all other powers enabling Social Care Wales in that behalf, and after consulting in accordance with section 75 of the Act, hereby makes the following Rules:

**ARRANGEMENT OF RULES**

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|  | **PART I** INTRODUCTIONCitation, commencement and effect   1 (1)  These Rules may be cited as the Social Care Wales (Registration) Rules 2021 and shall come into force on 31 March 2021.  (2) These Rules shall apply to a social care worker who, on the date that these Rules come into force:  (a) is registered as:  (i) a Social Worker,  (ii) a Residential Child Care Manager,  (iii) an Adult Care Home Manager,  (iv) a Domiciliary Care Manager,  (v) an Adoption Service Manager,  (vi) an Adult Placement Manager,  (vii) an Advocacy Manager,  (viii) a Fostering Service Manager,  (ix) a Residential Family Centre Manager,  (x) a Domiciliary Care Worker,  (xi) a Residential Child Care Worker,  (xii) an Adult Care Home Worker, or  (xiii) a Residential Family Centre Worker, and  (b) whose registration, or last renewal of registration, commenced on a date between 1 April 2018 and 31 March 2021.  (3) These Rules make amendments to The Social Care Wales (Registration) Rules 2018 and The Social Care Wales (Registration) Rules 2020 as they apply to social care workers within paragraphs 1(2) (a) and (b) of this Rule, for the purpose of extending the period for which their registration will remain effective from three years to four years on one occasion only.  (3) These Rules will cease to apply to any social care worker on expiry of the extended period referred to in paragraph (3) of this Rule and any subsequent period of registration shall be effective for a period of three years. Interpretation 2 (1) In these Rules, unless the context otherwise requires:  **“Act”** means the Regulation and Inspection of Social Care (Wales) Act 2016;  **“register”** means the register kept by Social Care Wales under section 80 of the Act;  **“registration”** means the entry in the register relating to a particular registered person;  **“relevant annual fee”** means the relevant fee specified in Schedule 1 to the Social Care Wales (Registration) Rules 2020, or as subsequently determined by Social Care Wales;  **“relevant social care worker”** means a social care worker to whom Rule 1(2) (a) and (b) applies |  |

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**PART II**

**AMENDMENT OF THE SOCIAL CARE WALES (REGISTRATION) RULES 2018**

3 (1) Where, on the date these Rules come into force, a relevant social care worker is subject to a period of registration which was granted or last renewed under the Social Care Wales (Registration) Rules 2018, those Rules shall be amended as follows:

**DURATION AND LAPSE OF REGISTRATION**

In Rule 25:

(a) in paragraph (1), for sub-paragraph (a) substitute:

'(a) where the registered person is a relevant social care worker:

(i) for three years from the date of the granting of the application for registration or renewal of registration; and

(ii) for a further period of 12 months from the third anniversary of the date of granting the application for registration or renewal of registration, on payment of the relevant annual fee.'

(b) in paragraph (3), for sub-paragraph (a) substitute:

'(a) in the case of a relevant social care worker:

(i) where sub-paragraph (1)(a)(ii) of this Rule applies, at the end of a period of four years from the date of granting the application for registration or renewal of registration, or

(ii) where sub-paragraph (1)(a)(ii) of this Rule does not apply, at the end of a period of three years from the date of granting the application for registration or renewal of registration.'

**SCHEDULE 5**

**CONSOLIDATION PROGRAMME FOR**

**NEWLY QUALIFIED SOCIAL WORKERS**

For Schedule 5, in the case of a relevant social care worker, substitute:

'Every social worker first registered with Social Care Wales who qualified on or after 1 April 2016 shall, within their first four-year period of registration, during which time they are practising as a social worker, either:

(1) complete a Consolidation Programme for newly qualified social workers which has been approved by Social Care Wales, or

(2) undertake such training that Social Care Wales requires or deems equivalent.'

**PART III**

**AMENDMENT OF THE SOCIAL CARE WALES (REGISTRATION) RULES 2020**

4 (1) Where, on the date these Rules come into force, a relevant social care worker is subject to a period of registration granted or last renewed under the Social Care Wales (Registration) Rules 2020, those Rules shall be amended as follows:

**DURATION AND LAPSE OF REGISTRATION**

Rule 25:

(a) in paragraph (1), after sub-paragraph (c) insert:

'(d) for a further period of 12 months from the third anniversary of the date of granting the application for registration or renewal of registration on payment of the relevant annual fee.'

(b) in paragraph (5), after sub-paragraph (b) insert:

'(c) in the case of a relevant social care worker, at the end of the period of 36 months from granting the application for registration or renewal of registration.'

(c) in paragraph (5), for sub-paragraph (c) substitute:

'(d) save where sub-paragraph (5) (a), (b) or (c) applies, in the case of a relevant social care worker, at the end of the period of four years from the date of granting of the application for registration or renewal of registration.'

**SCHEDULE 3**

**CONSOLIDATION PROGRAMME FOR**

**NEWLY QUALIFIED SOCIAL WORKERS**

For Schedule 3, in the case of a relevant social care worker, substitute:

'Every social worker first registered with Social Care Wales who qualified on or after 1 April 2016 shall, within their first four-year period of registration, during which time they are practising as a social worker, either:

(1) complete a Consolidation Programme for newly qualified social workers which has been approved by Social Care Wales, or

(2) undertake such training that Social Care Wales requires or deems equivalent.'

**Signed on behalf of Social Care Wales**

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**Date**