



Gofal Cymdeithasol **Cymru**
Social Care **Wales**

**THE SOCIAL CARE WALES
(CONTENT OF THE REGISTER)
RULES 2017**

APRIL 2017

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);**
- **National Assembly 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 available at:

[Social Care Wales \(Extension of Meaning of Social Care Worker\) Regulations 2016 - June 2016](http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?IId=16524)

<http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?IId=16524>

[Social Care Wales \(Constitution of Panels Prescribed Person\) Regulations 2016 - June 2016](http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?IId=16521)

<http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?IId=16521>

[Social Care Wales \(Content of Register\) Regulations 2016 June 2016](http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?IId=16523)

<http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?IId=16523>

[Social Care Wales \(List of Persons Removed from Register\) Regulations 2016 - June 2016](http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?IId=16522)

<http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?IId=16522>

[Social Care Wales \(Proceedings before Panels\) Regulations 2016 - June 2016](http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?IId=17273)

<http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?IId=17273>

[Social Care Wales \(Specification of Social Care Workers\) \(Registration\) Regulations 2016 - June 2016](http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?IId=16525)

<http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?IId=16525>

The Rules are available at: [Social Care Wales \(Content of the Register\) Rules 2017](http://www.senedd.assembly.wales/mgIssueHistoryHome.aspx?IId=16525)

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:

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PART I

INTRODUCTION

Citation, commencement and revocation

1. (1) These Rules may be cited as the Social Care Wales (Content of the Register) Rules 2017, and shall come into force on 3 April 2017.
- (2) The Care Council for Wales (Registration) Rules 2015(b) (“the 2015(b) Rules”) are hereby revoked.

Interpretation

2. (1) In these Rules, unless the context otherwise requires:
 - “**Act**” means the Regulation and Inspection of Social Care (Wales) Act 2016;
 - “**Appeals Panel Rules**” means the Social Care Wales (Registration Appeals Panel) Rules 2017;
 - “**Care Council**” means the Health and Care Professions Council, the Northern Ireland Social Care Council or the Scottish Social Services Council;
 - “**Content of Register Regulations**” means the Social Care Wales (Content of Register) Regulations 2016;
 - “**employer**” includes employment agencies, the self-employed, and any employer of a social worker or social care worker (working in the capacity of a social worker or social care worker) of whom Social Care Wales is aware;
 - “**entry**” means the particulars entered onto the register as specified in rule 3(1);
 - “**Fitness to Practise Rules**” means The Social Care Wales (Fitness to Practise Hearings) Rules 2017;
 - “**indefinite suspension order**” means an order made by a fitness to practise panel under section 154(10) of the Act;
 - “**Interim Orders Rules**” means The Social Care Wales (Interim Orders) Rules 2017;
 - “**interim suspension order**” means an order suspending a registered person’s registration under the Interim Orders Rules;
 - “**Investigation Rules**” means The Social Care Wales (Investigation) Rules 2017;

“part of the register” means the part of the register for social workers or the part of the register for each description of social care workers specified in regulations under section 80(1)(b) of the Act or the part of the register for visiting social workers or visiting social care managers from relevant European States;

“register” means the register kept by Social Care Wales under section 80 of the Act;

“registered person” means a person who is registered in the social worker part, an added part, or the visiting European social worker part or the visiting European social care manager part, of the register; and it includes a person:

- (a) whose registration would have lapsed under section 87(1) of the Act, but for the fact that subsection (2) of that section applies to the person,
- (b) in respect of whom a suspension order has effect,
- (c) in respect of whom an interim suspension order has effect,
- (d) in respect of whom an indefinite suspension order has effect;

“registrar” means the person appointed in accordance with section 81(1) and (2) of the Act;

“registration” means the entry in the register relating to a particular registered person;

“Registration Appeals Panel Rules” means The Social Care Wales (Registration Appeals Panel) Rules 2017;

“Registration Rules” means The Social Care Wales (Registration) Rules 2017;

“Social Care Wales” means the body corporate known as Social Care Wales and which was previously known as the Care Council for Wales;

“social work student” means a person participating in a course approved by Social Care Wales under section 114(1)(a) of the Act or a person participating in a social work qualifying programme elsewhere in the UK approved by a Care Council, who are or wish to become registered in the social worker part of the register;

“suspension order” means an order made by a fitness to practise panel for suspension of the registered person’s registration under the Fitness to Practise Rules.

(2) In these Rules, unless the context otherwise requires:

- (a) words in the singular include the plural, and words in the plural include the singular;
- (b) any reference to a numbered rule or part is a reference to the rule or part bearing that number in these rules, as the case may be;

- (c) any reference in a rule or a part to a numbered paragraph, is a reference to the paragraph bearing that number in that rule or part;
- (d) any reference in a paragraph in a rule or a part to a numbered sub-paragraph is a reference to the sub-paragraph bearing that number in that rule or part.

PART II
THE REGISTER

Entries in the register

3. (1) The registrar shall include in an entry in the register in respect of a registered person the following information, in addition to that required by section 91(1) of the Act and by regulations 3 to 9 of the Content of Register Regulations:
- (a) name or names (current and previous);
 - (b) registration number;
 - (c) the part of the register in which the registered person is registered;
 - (d) postal county relating to the address at which the registered person is employed or self-employed (unless located outside the UK);
 - (e) where the registered person is a social work student, the postal county in which the registered person is participating in a degree course.

Entry of social work student names onto the register

4. (1) Where an application for registration has been granted by the registrar in respect of a social work student, that student's name or names shall not be entered onto the register until the registrar is satisfied that the student has begun participating in a degree course.

Issue and form of certification of registration

5. (1) Where the registrar enters and publishes the name or names of a person on the register, certification of registration shall be in the form determined by Social Care Wales and shall:
- (a) state the registered person's:
 - (i) current name;
 - (ii) registration number;
 - (ii) date of registration; and
 - (iv) registered role.

The keeping of the register

6. (1) The register shall be kept secure in a manner which guards against falsification.
- (2) The registrar shall update the register in accordance with the requirements imposed by the Registration Rules, Registration Appeals Panel Rules, Investigation Rules, Interim Orders Rules and Fitness to Practise Rules.

Signed on behalf of Social Care Wales

Arwel Ellis Owen

17 March 2017

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Arwel Ellis Owen
Chair Social Care Wales

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Date