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STATUTORY INSTRUMENTS

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**2018 No. 893**

**SOCIAL WORK, ENGLAND  
HEALTH CARE AND ASSOCIATED  
PROFESSIONS, ENGLAND  
MENTAL CAPACITY, ENGLAND  
MENTAL HEALTH, ENGLAND  
PROFESSIONAL QUALIFICATIONS, ENGLAND**

The Social Workers Regulations 2018

*Made - - - - 22nd July 2018  
Coming into force in accordance with  
regulation 1(2) and (3)*

THE SOCIAL WORKERS REGULATIONS 2018

PART 1

General

1. Citation and commencement
2. Interpretation

PART 2

The regulator

3. Procedure for making rules
4. Appointment and functions of advisers to the regulator
5. Rules relating to advisers
6. Information and advice
7. Duty to co-operate
- 7A. Disclosure of information relating to functions

*Changes to legislation:* There are currently no known outstanding effects for the The Social Workers Regulations 2018. (See end of Document for details)

### PART 3

#### Registration of social workers

8. Appointment of the registrar and keeping of the register
9. Content of the register
10. Procedure for registration
11. Determination of eligibility for registration
12. Annotation of entries in the register
- 12A. Temporary registration in emergencies involving loss of human life or human illness etc
13. Renewal of registration
14. Removal from the register
15. Restoration to the register
16. Duty to provide information to the regulator
17. Fees for registration
18. Visiting social work professionals from relevant European States
19. Registration appeals

### PART 4

#### Education and training

20. Education and training approval scheme
21. Inspections
22. Conditional approval
23. Refusal, and withdrawal, of approval
24. Fees in relation to approval

### PART 5

#### Discipline and fitness to practise

25. Fitness to practise proceedings
26. Automatic removal from the register
27. Appeals against automatic removal from the register

### PART 6

#### Restrictions on practice, protected titles and offences

28. Carrying out social work in England and use of title
29. Holding out of a person as qualified to carry out social work in England
30. Offences in connection with registration
31. Offences in connection with restrictions on practice and protected titles
32. Offences in connection with the provision of information
33. Offences under this Part

### PART 7

#### Powers of intervention

34. Referral of cases by the Authority to the High Court
35. Power of the Secretary of State to investigate
36. The procedure for giving remedial directions
37. Failure to comply with a remedial direction
38. Payment by the regulator of expenses incurred

## PART 8

### Amendments to other legislation

39. Amendments to the Mental Health Act 1983
  40. Amendment to the Equality Act 2010
  41. Amendments to the Health and Social Work Professions Order 2001
  42. Amendment to the European Communities (Recognition of Professional Qualifications) Regulations 2007
  43. Amendments to the Mental Health (Approved Mental Health Professionals) (Approval) (England) Regulations 2008
  44. Amendments to the Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008
  45. Amendments to the European Union (Recognition of Professional Qualifications) Regulations 2015
  46. Amendment to the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017
- Signature

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#### SCHEDULE 1 — Recognised qualifications

1. A person has a recognised qualification if they—
2. In considering whether an exempt person to whom paragraph (1)(c)...
3. The regulator must make rules setting out procedures to—

#### SCHEDULE 2 — Fitness to practise proceedings

##### PART 1 — Triage

1. Triage
2. Determination by the regulator that there are no reasonable grounds

##### PART 2 — Investigation

3. Commencement of investigation
4. Notifying the social worker and the complainant
5. Obtaining further information and referral to case examiners
6. Determination by case examiners
7. (1) Where the case examiners determine that there is a...
8. Interim orders
9. Disposal without hearing

#### 9A Review of decisions

##### PART 3 — Fitness to practise hearing

10. Commencement of hearing procedure
11. Interim orders
12. Determination by adjudicators
13. Final orders

##### PART 4 — Review of orders

14. Review of interim orders
15. Review of final orders

##### PART 5 — Appeals

16. (1) A social worker may appeal to the High Court...

#### SCHEDULE 3 — Listed offences

1. Murder.
2. An offence under any of the following provisions of the...

**Changes to legislation:** There are currently no known outstanding effects for the The Social Workers Regulations 2018. (See end of Document for details)

3. An offence under any of sections 9 to 12 of...
4. An offence under any of the following provisions of the...
5. An offence under any of the following provisions of the...
6. An offence under either of the following provisions of the...
7. An offence under either of the following provisions of the...
8. Extortion (in Scotland).
9. An offence under section 21 of the Theft Act 1968...
10. An offence under section 20 of the Theft Act (Northern...
11. An offence under section 3 of the Sexual Offences Act...
12. An offence under article 7 of the Sexual Offences (Northern...
13. An offence under section 3 of the Sexual Offences (Scotland)...
14. An offence under the following provisions of the Human Trafficking...

Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Workers Regulations 2018.