
STATUTORY INSTRUMENTS

2019 No. 1140

The Children and Social Work Act 2017 (Transitional and Savings Provisions) (Social Workers) Regulations 2019

PART 1

General

Citation and commencement

1. These Regulations may be cited as the Children and Social Work Act 2017 (Transitional and Savings Provisions) (Social Workers) Regulations 2019 and come into force on the date on which section 39(1) of the Children and Social Work Act 2017 comes into force.

Interpretation

2.—(1) In these Regulations—

“the 2001 Order” means the Health Professions Order 2001**(1)**;

“adjudicator” has the meaning given in regulation 2(1) of the Principal Regulations;

“the HCPC” means the Health and Care Professions Council**(2)**;

“the HCPC register” means the register maintained by the HCPC under article 5(1) of the 2001 Order;

“previous fitness to practise case” has the meaning given in regulation 14;

“previous fitness to practise sanction” has the meaning given in regulation 13(1);

“previous register entry case” has the meaning given in regulation 17;

“the Principal Regulations” means the Social Workers Regulations 2018**(3)**;

“the register” means the register described in section 39(1) of the Children and Social Work Act 2017;

“registered” and “registered social worker” have the meanings given in regulation 2(5) of the Principal Regulations;

“the Registration and Fees Rules” means the Health and Care Professions Council (Registration and Fees) Rules 2003 set out in the Schedule to the Health Professions Council (Registration and Fees) Rules Order of Council 2003**(4)**;

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- (1) [S.I. 2002/254](#), as amended by [S.I. 2018/893](#). The Order was re-named by section 213(4) and (6) of the Health and Social Care Act 2012 (c. 7), and by paragraphs 45 and 46 of Schedule 5 to the Children and Social Work Act 2017. There are other amending instruments but none is relevant.
- (2) The Health Professions Council was established by article 3(1) of the Health Professions Order 2001. It was continued in existence, and its name changed to the Health and Care Professions Council, by section 214(1) of the Health and Social Care Act 2012.
- (3) [S.I. 2018/893](#).
- (4) [S.I. 2003/1572](#); as amended by [S.I. 2004/2524](#), [2005/1625](#) and [2114](#), [2007/1280](#) and [3101](#), [2009/1355](#), [2010/479](#), [2011/210](#), [2012/1479](#), [2014/532](#) and [1887](#), [2015/93](#) and [1337](#), [2016/693](#) and [1030](#).

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“the transfer date” means the date on which section 39(1) of the Children and Social Work Act 2017 comes into force;

“transferred social worker” means a person who is deemed to be a registered social worker by virtue of regulation 2(6)(5) of the Principal Regulations.

(2) Any reference to a striking-off order, a suspension order, a conditions of practice order, or a caution order made by virtue of the 2001 Order, is to that order as defined in article 29(5)(a), (b), (c) or (d) (as the case may be) of the 2001 Order.

(3) Any reference to an interim suspension order or an interim conditions of practice order made by virtue of the 2001 Order, is to that order as defined in article 31(2)(a) or (b) (as the case may be) of the 2001 Order.

(4) Any reference to a removal order, a suspension order, a conditions of practice order, a warning order, an interim suspension order or an interim conditions of practice order made by virtue of the Principal Regulations, is to that order as defined in regulation 2(1) of the Principal Regulations.

(5) Except in regulations 9(2), 15(2), 18(2) and 23, any reference to the 2001 Order is to the 2001 Order as it had effect immediately before the transfer date.

(5) Regulation 2(6) of the Principal Regulations provides that a person who is registered as a social worker in the register maintained by the HCPC under article 5(1) of the 2001 Order immediately before the coming into force of the Principal Regulations, where that registration has not lapsed or been removed in accordance with the provisions of the 2001 Order, is deemed to be a registered social worker for the purposes of the Principal Regulations.