
STATUTORY INSTRUMENTS

2019 No. 1140

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

PART 3

Education and training

Education and training approval scheme: deemed approval of courses, qualifications and tests

12.—(1) A course, qualification, or test described in paragraph (2) is treated, with effect from the transfer date, as—

- (a) being included in the list of courses of initial education and training, qualifications, tests of knowledge of English, and AMHPs courses which is published by the regulator by virtue of regulation 20(4) of the Principal Regulations, and
- (b) approved under the education and training approval scheme on the same terms (and, in particular, subject to any condition) as it was approved by the HCPC immediately before the transfer date,

provided that the regulator has not refused to re-approve, or withdrawn approval of, that course, qualification, or test in accordance with the provisions of Part 4 of the Principal Regulations.

(2) The courses, qualifications, and tests referred to in paragraph (1) are—

- (a) any course of education or training which was approved by the HCPC under article 15(5)(a) of the 2001 Order immediately before the transfer date, and falls within the description in regulation 20(1)(a) of the Principal Regulations,
- (b) any qualification which was approved by the HCPC under article 15(5)(b) of the 2001 Order immediately before the transfer date, and falls within the description in regulation 20(1)(b) of the Principal Regulations,
- (c) any test of competence or knowledge of English which was approved by the HCPC under article 15(5)(d) of the 2001 Order immediately before the transfer date, and falls within the description in regulation 20(1)(c) of the Principal Regulations,
- (d) any qualification which is treated as an approved qualification, for the purposes of article 12(1)(a) of the 2001 Order, by article 14(2) or (3) of the General Social Care Council (Transfer of Register and Abolition-Transitional and Saving Provision) Order of Council 2012(1), and falls within the description in regulation 20(1)(b) of the Principal Regulations,
- (e) any course for persons who are, or wish to become, approved to act as approved mental health professionals by a local social services authority whose area is in England, which

was approved by the HCPC under section 114ZA(1) of the Mental Health Act 1983(2) immediately before the transfer date.

- (3) For the purposes of paragraph (1)—
- (a) in regulation 20(2) of the Principal Regulations, the references to an “approved course of initial education or training” and “approved qualification” are treated as including a course or qualification approved by virtue of paragraph (2)(a), (b) or (d) (as appropriate),
 - (b) in regulation 20(4)(a) and (b) of the Principal Regulations the references to courses, qualifications, test of knowledge of English and AMHPs courses which are, or were, approved under the education and training scheme are treated as including references to courses, qualifications, tests of knowledge of English and AMHPs courses which are, or were, approved by virtue of paragraph (2)(a), (b), (c), (d) or (e) (as appropriate),
 - (c) any condition referred to in paragraph (1)(b) is treated as if it had been attached by the regulator under regulation 22(1) of the Principal Regulations,
 - (d) regulations 21 to 24 (other than regulation 22(1)) of the Principal Regulations, and any rules made under regulation 20(6) of the Principal Regulations, do not apply in relation to the approval of the course, qualification, or test.
- (4) In this regulation—
- “AMHPs course” has the meaning given in regulation 20(1)(d) of the Principal Regulations,
 - “initial education and training” has the meaning given in regulation 20(1)(a) of the Principal Regulations,
 - “education and training approval scheme” has the meaning given in regulation 20(1) of the Principal Regulations.

(2) 1983 c. 20. Section 114ZA was inserted by section 217(2) of the Health and Social Care Act 2012.