

**SCOTTISH SOCIAL SERVICES COUNCIL
(REGISTRATION) RULES 2008**

The Scottish Social Services Council, in exercise of its powers under sections 45(1), 46(2), 46(4), 49(1), 49(2), 57(1), 57(2), 57(3) and 57(9) of the Regulation of Care (Scotland) Act 2001 and of all other powers enabling the Council in that behalf, and having consulted such persons as appear to the Council to be appropriate, and with the consent of the Scottish Ministers, hereby makes the following Rules:

ARRANGEMENT OF RULES

PART I

INTRODUCTION

1.	Citation, commencement, saving and extent	4
2.	Interpretation	4
3.	Service of documents	12

PART II

REGISTRATION PROCEDURES

4.	Application for Registration	13
5.	Entry of student names on to Register	26
6.	Duration of Registration	26
7.	Application for Registration upon completion of Degree Course	28
8.	Renewal of Registration of social workers and other social service workers	29
9.	Removal from the Register for non participation in a Degree Course	32
10.	Removal from the Register for other reasons	33
11.	Alteration of the Register	35
12.	Application for restoration to the Register	36
13.	Time limit for repeat applications	37

PART III
REGISTRATION COMMITTEE AND SUB-COMMITTEES

14.	Constitution, membership and quorum of Registration Committee and Sub-committees	38
15.	Voting and Decisions	40
16.	Reference to the Registration Sub-committee	40
17.	The Legal Adviser	44
18.	The Medical Adviser	45
19.	The Clerk	46
20.	Evidence	46
21.	Standard of proof	47
22.	Procedure	48
23.	Resumed hearings	56
24.	Postponement of hearing	57

PART IV
FEEES

25.	Application and renewal fee	59
26.	Annual fee	59
27.	Restoration fee	60
28.	Waiver of fees	61
29.	Failure to Pay Fees	61

PART V
THE REGISTER

30.	The Form of the Register	62
31.	Access to the Register	63
32.	The keeping of the Register	63
33.	Issue and form of certificates	65

SCHEDULE 1
APPROVED COURSES FOR SOCIAL WORKERS

SCHEDULE 2
FEEES CHARGED BY THE COUNCIL

SCHEDULE 3
POST REGISTRATION TRAINING AND LEARNING REQUIREMENTS

SCHEDULE 4
REGULATORY BODIES WHOSE DETERMINATIONS MAY BE CONSIDERED
BY A REGISTRATION SUB-COMMITTEE

PART I
INTRODUCTION

Citation, commencement, saving and extent

1. (1) These Rules may be cited as the Scottish Social Services Council (Registration) Rules 2008 and shall come into force on the day that they are signed on behalf of the Council.
- (2) The Scottish Social Services Council (Registration) Rules 2007 (“the 2007 Rules”) are hereby revoked, and these Rules shall be substituted and shall apply to any case whether initiated before or after the coming into force of these Rules.
- (3) The Council, the Registration Committee and any Registration Sub-Committee, as may be, may relieve any Party from the consequences of a failure to comply with a provision in these Rules, which is shown to be due to a mistake, oversight or other excusable cause, on such conditions, if any, as it thinks fit.
- (4) For the avoidance of doubt these Rules do not apply to visiting social workers from relevant European states as defined in section 77 of the Act.

Interpretation

2. (1) In these Rules, unless the context otherwise requires –
“**the Act**” means the Regulation of Care (Scotland) Act 2001;
“**the Annual Fee**” means the fee to be paid by a Registrant in respect of the retention in the Register of any Registration in any year following the year in which the Registration was first made;
“**Applicant**” means a person applying for Registration (or renewal or

restoration of Registration) with the Council in the parts of the Register for social workers, social service workers of any other description or students;

“Approved Course” means a course for persons wishing to become social workers approved by the Council;

“Bank Authority” means any form of authority which a person may give to a bank including a letter of authority, banker’s order, standing order or variable direct debit to pay to the Council, any fees on the date on which such fees are due;

“Care Commission” means the Scottish Commission for the Regulation of Care;

“Care Commission Officer” means a social service worker of the description prescribed for the purposes of section 44(1)(b) of the Act by Article 2(a) of the Regulation of Care (Social Service Workers) (Scotland) Order 2005 (SSI 2005/318);

“Care Council” means the Care Council for Wales, the General Social Care Council or the Northern Ireland Social Care Council;

“Care Services” has the meaning ascribed by Section 2 of the Act.

“Code/Code of Practice for Social Service Workers” means the code of practice laying down the standards of conduct and practice expected of social service workers published by the Council under section 53(1) (a) of the Act, as amended from time to time;

“Conduct Sub-committee” means the Sub-Committee constituted in accordance with the Council’s Conduct Rules;

“Council” means the Scottish Social Services Council;

“Council’s Conduct Rules” means the Scottish Social Services Council

(Conduct) Rules 2008 published by the Council, as amended or substituted from time to time;

“Day Care of Children Service Worker” means a Manager of a Day Care of Children Service, a Practitioner in a Day Care of Children Service or a Support worker in a Day Care of Children Service”;

“Degree Course” means a course leading to the honours degree in social work, or postgraduate qualification which has been approved by the Council in accordance with The Scottish Social Services Council Rules for Social Work Training 2003, as amended or substituted from time to time;

“Employer” includes employment agencies, the self-employed, and any Employer of a social service worker (working in the capacity of a social service worker) of whom the Council is aware;

“Entitling Qualification” means a qualification which, if the person holding it also satisfies the requirements of subsection (2) (a) and (b) of section 46 of the Regulation of Care (Scotland) Act 2001 and, except where subsection (4) of that section applies, the requirements as to education imposed as mentioned in subsection (2) (c) (i) of that section, entitles that person to be registered in the part of the Register for social workers;

“Entry” means the particulars entered on to the Register as specified in Rule 30 of these Rules;

“Interim Suspension Order” means an Order for interim suspension of a Registrant’s Registration imposed by the Preliminary Proceedings Subcommittee;

“Lay Person” means a person who is not, and has not within 5 years of an

appointment to the Registration Sub-committee, been –

- (a) a social service worker or a student; or
- (b) involved in the training, education, appointment, employment, supply, supervision, monitoring or representation of social service workers or students;

“Legal Adviser” means an advocate or solicitor who has been qualified to practise in Scotland, for not less than 10 years;

“Letter of Verification” means a letter issued by the Central Council for Education and Training in Social Work (CCETSW) or the General Social Care Council between 1990 and 18 May 2004, confirming that a qualification obtained outside of Scotland, England, Wales or Northern Ireland was a professional social work qualification in the Country where the applicant trained and studied;

“Manager of an Adult Day Care Service” means a social service worker, of the description prescribed for the purposes of section 44(1)(b) of the Act under article 2(e) of the Regulation of Care (Social Service Workers) (Scotland) Order 2005;

“Manager of a Care Home Service for Adults” means a social service worker, of the description prescribed for the purposes of section 44(1)(b) of the Act under article 2(f) of the Regulation of Care (Social Service Workers) (Scotland) Order 2005;

“Manager of a Day Care of Children Service” means a social service worker of the description prescribed for the purposes of section 44(1)(b) of the Act under article 2(g) of the Regulation of Care (Social Service Workers)(Scotland) Order 2005;

“Medical Adviser” means a medical practitioner, registered under the Medical Act 1983, appointed by the Council;

“Misconduct” means conduct, whether by act or omission, which falls short of the standard of conduct expected of a person registered with the Scottish Social Services Council, having particular regard to the Code of Practice for Social Service Workers issued by the Council under section 53(1)(a) of the Act and these Rules, as amended or substituted from time to time;

“Newly Qualified Social Worker” means a person who has obtained an entitling qualification on or after 1 April 2006, and does not otherwise possess an entitling qualification;

“part of the Register” means a Part of the Register in terms of section 44(2) of the Act;

“part of the Register for students” means the Part of the Register for persons participating in a Degree Course approved by the Council under section 54(1) of the Act for those wishing to become social workers;

“Parties” means the Council and the Applicant (and/or their representatives);

“Practitioner in a Care Home Service for Adults” means a social service worker, of the description prescribed for the purposes of section 44(1)(b) of the Act under article 2(j) of the Regulation of Care (Social Service Workers) (Scotland) Order 2005;

“Practitioner in a Day Care of Children Service” means a social service worker of the description prescribed for the purposes of section 44(1)(b) of the Act under article 2(h) the Regulation of Care (Social

Service Workers)(Scotland) Order 2005;

“Pro Rata Annual Fee” means the fee to be paid by a Newly Qualified Social Worker for the period from the start of month 13 to the end of month 18 of their first period of registration;

“Register” means the Register maintained by the Council under section 44 of the Act;

“Registrant” means a person registered in the Register;

“Registration” means the Entry in the Register relating to a particular Registrant;

“Registration Sub-committee” means the Committee constituted in accordance with Rule 14 of these Rules;

“Regulation of Care Award (Scotland)” means the course of that name provided for Care Commission Officers and designed on behalf of the Council;

“Relevant Employer” means a person who has demonstrated to the satisfaction of the Council that the person employs or proposes to employ a social service worker or student and will use the information obtained only in connection with such employment or proposed employment;

“Removed Persons Register” means the Register maintained by the Council under section 49 of the Act;

“Representative” means a Solicitor, Counsel, Trade Union representative or representative from a professional body or other person permitted by the Convener of a Registration Sub-committee in terms of Rule 22(10);

“Requirements” means such requirements as the Council may impose in terms of Section 46(2)(c)(i) or (ii) of the Act for persons wishing to

become social service workers of the description in relation to which Registration is sought, and published by the Council from time to time;

“Residential Child Care Worker” means a social service worker, of the description prescribed for the purposes of section 44(1)(b) of the Act by Article 2(b) (c) or (d) of the Regulation of Care (Social Service Workers) (Scotland) Order 2005;

“Social Service Employer” means an employer of social service workers (within the meaning of section 77 of the Act) or students; (working in the capacity of social work or care services or Registration and inspection thereof);

“Social Service Worker” has the meaning ascribed by section 77 of the Act;

“Social Worker” has the meaning ascribed by section 77 of the Act;

“Student” means a person participating in or who has been offered and has accepted a place on a Degree Course;

“Supervisor in a Care Home Service for Adults” means a social service worker, of the description prescribed for the purposes of section 44(1)(b) of the Act under article 2(k) of the Regulation of Care (Social Service Workers) (Scotland) Order 2005;

“Support Worker in a Care Home Service for Adults” means a social service worker, of the description prescribed for the purposes of section 44(1)(b) of the Act under article 2(l) of the Regulation of Care (Social Service Workers) (Scotland) Order 2005;

“Support Worker in a Day Care of Children Service” means a social

service worker of the description prescribed for the purposes of section 44 (1)(b) of the Act under article 2(i) of the Regulation of Care (Scotland) Act (Social Service Workers) (Scotland) Order 2005;

“Suspension Order” means an order for suspension of a Registrant’s Registration made by the Conduct Sub-committee;

“University” means the University or Higher Education Institution providing the Degree Course.

(2) In these Rules, any reference to the date on which the Annual Fee is due is a reference to-

(a) the anniversary of the date on which the Entry was first made in the Register and on that date in every subsequent year and if the Entry was first made on 29th February it shall be treated as having been made on 1st March;

(b) where an Entry in the Register has been removed and is subsequently restored, the anniversary of the date on which restoration was made and on that date in every subsequent year and if restoration was made on 29th February it shall be treated as having been made on 1st March.

(3) 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 is a reference to the rule bearing that number in these rules; and

- (c) any reference in a rule to a numbered paragraph, is a reference to the paragraph bearing that number in that rule.

- (4) These Rules shall be construed and applied in accordance with the Council's obligations under the Human Rights Act 1998 and the Data Protection Act 1998.

Service of documents

- 3. In these Rules –
 - (a) unless the context otherwise specifies, any reference to the sending of a notice to an Applicant or Registrant, is a reference to the sending of a notice by registered post or by a postal service in which delivery or receipt is recorded, to the address of the Applicant or Registrant in the Register or, if different, to the last-known address;
 - (b) where any notice is sent to an Applicant or Registrant, it shall be treated as having been served on the day after it was posted.

PART II
REGISTRATION PROCEDURES

Application for Registration

4. (1) An application for Registration shall specify each part of the Register in which Registration is sought and shall be-
- in writing;
- (a) on the form approved by the Council for the purpose which shall require the Applicant to provide the following information –
- (i) the Applicant’s personal details, including full name(s) (and previous name(s) if any), title, age, date of birth and address;
- (ii) details of any criminal convictions (including ‘spent’ convictions), formal cautions issued by the Police and any pending criminal proceedings in which the Applicant has been formally charged, details of any current recorded disciplinary finding and whether the Applicant is currently the subject of an Employer’s investigation or University’s investigation and if so details of the same;
- (iii) where the Applicant is a social worker or other social service worker, the Applicant’s professional details, including the qualification gained and the name and address of the establishment at which the qualification was gained and whether the Applicant is registered with a Care Council;

- (iv) the name and address of the Applicant's current Social Service Employer or Employers (if any);
- (v) in the case of students, the name and address of the University providing the Degree Course; and
- (vi) such other information as the Council may reasonably require;

(2) The application form shall:

- (a) contain a warning to the Applicant:
 - (i) about the consequences (including criminal sanctions and removal from the Register) of providing false or misleading information;
 - (ii) that failure to inform the Council as soon as reasonably practical of any material changes in the information provided, including in the case of an application for Registration in the part of the Register for students a change of Degree Course or non-participation in a Degree Course, and in the case of an application for Registration in the part of the Register for Care Commission Officers, cessation of employment as a Care Commission Officer, and in the case of an application for Registration in a part of the Register for Residential Child Care Workers no longer being a Residential Child Care Worker; in the case of an application for Registration in the part of the Register for Managers of an Adult Day Care Service, no longer

being a Manager of an Adult Day Care Service; and in the case of an application for Registration in the part of the Register for Managers of a Care Home Service for Adults, no longer being a Manager of a Care Home Service for Adults and in the case of an application for Registration in a part of the Register for Day Care of Children Service Workers no longer being a Day Care of Children Service Worker, and in the case of an application for Registration in the part of the Register for Practitioners in a Care Home Service for Adults, no longer being a Practitioner in a Care Home Service for Adults; and in the case of an application for Registration in the part of the Register for Supervisors in a Care Home Service for Adults, no longer being a Supervisor in a Care Home Service for Adults; and in the case of an application for Registration in the part of the Register for Support Workers in a Care Home Service for Adults, no longer being a Support Worker in a Care Home Service for Adults, may be considered misconduct by the Council; and

- (iii) that upon Registration with the Council, the Applicant (including an Applicant for Registration in the part of the Register for students) must comply with the Code of Practice for Social Service Workers issued by the Council and may be subject to disciplinary action under the Conduct Rules for any breach of the Code;

- (b) be completed and signed by the Applicant and
 - (c) where the Applicant is a social worker or other social service worker, be verified by-
 - (i) where the Applicant is employed as a social worker, or other social service worker, a senior representative of the Social Service Employer by whom the Applicant is employed, acceptable to the Council as being fit to do so; or
 - (ii) where the Applicant is self employed as a social worker or other social service worker, or not in employment or self-employment as a social worker, a Social Service Employer or other person acceptable to the Council as being fit to do so for the purposes of establishing the identity of the Applicant; or
 - (d) in the case of an application for Registration in the part of the Register for students, be countersigned by a person acceptable to the Council for the purpose of establishing the identity of the Applicant and the Applicant's good character and conduct; and
 - (e) be given or sent to the Council.
- (3) The Applicant shall provide in connection with the application, on the form approved for the purpose by the Council –
- (a) evidence as to the Applicant's –
 - (i) good character, as it relates to the Applicant's fitness to

practise the work expected of persons registered in that part of the Register in which Registration is sought; and

- (ii) good conduct; and
- (iii) competence

provided that in the case of an application for Registration in the part of the Register for students evidence of competence shall be provided by way of written confirmation from the University providing the Degree Course that the Applicant has been offered and accepted a place on a Degree Course, which confirmation shall not be provided on the form, but shall be provided direct by the University to the Council

- (b) where the Applicant is a social service worker, evidence as to:
 - (i) the Applicant's qualification(s) or training in accordance with the provisions of Rule 4(8) below;
 - (ii) name of body that awarded such qualification(s) where relevant;
 - (iii) date of award of such qualification(s) where relevant;
 - (iv) certificate number where relevant;
 - (v) name of establishment attended for the purpose of obtaining the qualification(s) where relevant;
 - (vi) dates attended at such establishment where relevant;
 - (vii) name in which the qualification(s) is/are held where relevant.

- (c) where the Applicant is a social service worker, such evidence shall include endorsement by –
- (i) where the Applicant is employed as a social worker or other social service worker, a senior representative of the Social Service Employer by whom the Applicant is employed, acceptable to the Council as fit to provide such endorsement, providing that should such senior representative decline to endorse the application, endorsement may be made by another person acceptable to the Council, at the discretion of the Council,
 - (ii) where the Applicant is self-employed as a social worker or other social service worker, or not in employment or self-employment as a social worker, a Social Service Employer or other person acceptable to the Council as being fit to provide such an endorsement,
- (d) in the case of an application for Registration in the part of the Register for students, such evidence shall include endorsement by a person who has known the Applicant for the last 5 years and is acceptable to the Council as fit to provide such endorsement. In exceptional circumstances the Council may waive the requirement that the Applicant has been known to the Endorser for the last 5 years.
- (e) Where an Applicant is not in employment as or self-employment as a social worker, the Council may require the Applicant to provide an additional verification and endorsement for the

purposes of paragraphs (2)(c)(ii) and (3)(c)(ii) above, from a person who has known the Applicant for the last 5 years. In exceptional circumstances, the Council may waive this requirement.

- (4) Every Applicant shall provide in connection with an application-
 - (a) a statement that the Applicant has read and understood the Code of Practice for Social Service Workers; and
 - (b) an undertaking to abide by the Code of Practice;
in both cases on a form approved for the purpose by the Council;
and either
 - (c) where the Applicant is not already registered in a part of the Register a completed application form (signed by the Applicant and to be counter-signed by the Council) together with the appropriate fee, for the purpose of obtaining an enhanced criminal record certificate known as an Enhanced Disclosure, under section 115(1) of the Police Act 1997; or
 - (d) in the case of an application for Registration in the part of the Register for students, a completed application form (signed by the Applicant and to be counter-signed by the Council), for the purpose of obtaining an enhanced criminal record certificate known as an Enhanced Disclosure, under section 115(1) of the Police Act 1997;
 - (e) and an undertaking to make timeous payment of the Annual Fee or where applicable the Pro Rata Annual Fee.

- (5) The Council may, for the purposes of determining the application, seek information additional to that provided by the Applicant from both the Applicant and any other person or source.
- (6) Where the Council receives information under paragraph (5) above, other than from the Applicant, it shall inform the Applicant of the information received, and shall give the Applicant an opportunity of commenting on that information within the period of 28 days, beginning the day after the day on which the information is imparted to the Applicant.
- (7) Except where the Council is minded to make a reference to the Registration Sub-committee under Rule 16 below, the Council shall notify the Applicant of its decision on the application in writing.
- (8) The Council shall not grant an application for Registration until it has received payment of any Application Fee set by the Council for Registration in the part or parts of the Register to which the application relates, and is satisfied:
 - (a) as to the Applicant's good character; conduct; and, competence;
and
 - (b) in the case of an application for Registration in the part of the Register for Social Workers
 - (i) that the Applicant has successfully completed an Approved Course and, the Courses specified in SCHEDULE 1 to

these Rules are hereby approved by the Council in terms of section 46(2)(c)(i) of the Act; or

(ii) that the Applicant has successfully completed any other course for persons wishing to become social workers approved by:

(i) the Council under section 54(1) of the Act; or

(ii) a Care Council under Section 63 of the Care Standards Act 2000 or Section 10 of the Health and Personal Social Services Act (Northern Ireland) 2001; or

(iii) that the Applicant satisfies the provisions of section 46B of the Act; or

(c) in the case of an application for Registration in the part of the Register for students that the Applicant has been offered and accepted a place on a Degree Course; or

(d) in the case of an application for Registration in the part of the Register for Care Commission Officers

(i) that the Applicant satisfies the Requirements imposed by the Council, in terms of Section 46(2)(c)(ii) of the Act, for persons wishing to be registered in the part of the Register for Care Commission Officers and set out on the list of such Requirements published by the Council from time to time; provided that for applications received by the

Council during the period of 6 months from 23 December 2004 an Applicant for Registration in the part of the Register for Care Commission Officers may be so registered without satisfying the aforesaid Requirements if the Applicant has demonstrated to the satisfaction of the Council that the Applicant has practised safely and effectively in the Registration and inspection of care services for any period of 5 years before that date or the Applicant holds a certificate in Health and Social Care – K100 or KZX100 recognised by the Council and has practised safely and effectively in the Registration and inspection of care services; or

- (ii) that, subject to Rule 16(1)(b), the Applicant holds either the Regulation of Care Award (Scotland), or the Regulation of Care Services Award as awarded by the General Social Care Council in England or the Regulation of Care Services Award as awarded by the University of Wales Institute Cardiff in Wales or that the Applicant has agreed to a condition on their Registration that they commence the Regulation of Care Award (Scotland) within a period of 24 months and obtain the said Award within a period of 36 months, both from the date of Registration;

- (e) in the case of an application for Registration in a part of the Register for Residential Child Care Workers that the Applicant satisfies the Requirements imposed by the Council, in terms of section 46(2)(c)(ii) of the Act, for persons wishing to be registered in a part of the Register for Residential Child Care Workers and set out on the list of such Requirements published by the Council from time to time or, that subject to Rule 16(1)(b), the Applicant has agreed to a condition on their Registration that they satisfy the said Requirements within a period of 36 months from the date of Registration;

- (f) in the case of an application for Registration in the part of the Register for Managers of an Adult Day Care Service that the Applicant satisfies the Requirements imposed by the Council, in terms of section 46(2)(c)(ii) of the Act, for persons wishing to be registered in the part of the Register for Managers of an Adult Day Care Service and set out on the list of such Requirements published by the Council from time to time or, that subject to Rule 16(1)(b), the Applicant has agreed to a condition on their Registration that they satisfy the said Requirements within a period of 36 months from the date of Registration;

- (g) in the case of an application for Registration in the part of the Register for Managers of a Care Home Service for Adults that the Applicant satisfies the Requirements imposed by the Council, in

terms of section 46(2)(c)(ii) of the Act, for persons wishing to be registered in the part of the Register for Managers of a Care Home Service for Adults and set out on the list of such Requirements published by the Council from time to time or, that subject to Rule 16(1)(b), the Applicant has agreed to a condition on their Registration that they satisfy the said Requirements within a period of 36 months from the date of Registration;

(h) in the case of an application for Registration in a part of the Register for Day Care of Children Service Workers that the Applicant satisfies the requirements imposed by the Council, in terms of section 46(2)(c)(ii) of the Act, for persons wishing to be registered in that part of the Register set out on the list of such Requirements published by the Council from time to time or, that subject to Rule 16(1)(b), the Applicant has agreed to a condition on their Registration that they satisfy the said Requirements within a period of 36 months from the date of Registration;

(i) in the case of an application for Registration in a part of the Register for Practitioners in a Care Home Service for Adults that the Applicant satisfies the requirements imposed by the Council, in terms of section 46(2)(c)(ii) of the Act, for persons wishing to be registered in that part of the Register set out on the list of such Requirements published by the Council from time to time or, that subject to Rule 16(1)(b), the Applicant has agreed to a condition on

their Registration that they satisfy the said Requirements within a period of 36 months from the date of Registration;

(j) in the case of an application for Registration in a part of the Register for Supervisors in a Care Home Service for Adults that the Applicant satisfies the requirements imposed by the Council, in terms of section 46(2)(c)(ii) of the Act, for persons wishing to be registered in that part of the Register set out on the list of such Requirements published by the Council from time to time or, that subject to Rule 16(1)(b), the Applicant has agreed to a condition on their Registration that they satisfy the said Requirements within a period of 36 months from the date of Registration;

(k) in the case of an application for Registration in a part of the Register for Support Workers in a Care Home Service for Adults that the Applicant satisfies the requirements imposed by the Council, in terms of section 46(2)(c)(ii) of the Act, for persons wishing to be registered in that part of the Register set out on the list of such Requirements published by the Council from time to time or, that subject to Rule 16(1)(b), the Applicant has agreed to a condition on their Registration that they satisfy the said Requirements within a period of 36 months from the date of Registration.

Entry of student names on to Register

5. (1) Where an application for Registration in the part of the Register for students has been granted by the Council in respect of a student, that student's name shall not be entered on to the Register unless-
 - (a) the Council is satisfied that the student has begun participating in a Degree Course; and
 - (b) all fees owed to the Council in respect of that student's Registration are paid.
- (2) Where an application for Registration referred to in Rule 5(1) has been granted by the Council and that Applicant has not, within 2 years of the date of granting the application, begun participating in a Degree Course, the Council shall not enter the name of the Applicant on the Register. During the 2 year period following the granting of the application the Council shall only enter the name of the applicant on the Register if it remains satisfied as to the Applicant's good character, conduct and competence and has received up-to-date evidence satisfactory to the Council of the Applicant's suitability to be registered in that part of the Register in which Registration is sought.

Duration of Registration

6. (1) Subject to removal from the Register in accordance with these Rules or the Council's Conduct Rules, Registration in the relevant part of the Register will remain effective:
 - (a) where the Registrant is a social worker, for a specified period of up to three years from the date of granting of the application for

Registration by the Council, provided that for Newly Qualified Social Workers the first period of registration shall be 18 months, and for those Newly Qualified Social Workers who are contracted to work less than 35 hours per week the first period of registration shall be two years, after which period, the Registration shall lapse, where the Registrant is a Manager of a Adult Day Care Service or a Manager of a Care Home Service for Adults for a specified period of up to three years from the date of granting of the application for Registration by the Council, and where the Registrant is a social service worker other than a social worker, a Manager of an Adult Day Care Service or a Manager of a Care Home Service for Adults, for a specified period of up to five years from the date of granting of the application for Registration by the Council;

- (b) where the Registrant is registered in the part of the Register for students, provided the Registrant continues to participate in the Degree Course, for the duration of the Registrant's Degree Course or seven years from the date of granting of the application for Registration by the Council, whichever is the earlier;
- (c) where an Interim Suspension Order or Suspension Order has been imposed on the Registrant's Registration, until the later of the periods specified in sub-paragraphs (a) or (b) above as appropriate and the expiry or revocation of the Interim Suspension Order or Suspension Order.

- (2) Not less than 28 days before the expiry of the period referred to in paragraph (1) above, the Council shall send to the address of the Registrant, as it appears on the Register:
 - (a) a Notice of Expiry of Registration;
 - (b) an application form for renewal of Registration.
- (3) Notwithstanding paragraph (1) above, a Registrant's Registration in the relevant part of the Register shall not lapse if the Registrant makes an application for renewal before the end of the period specified in that paragraph, or where the Registrant is the subject of current or pending enquiries, investigation or disciplinary proceedings under the Council's Conduct Rules.
- (4) Where the Registrant is registered in the part of the Register for students, the Council may extend the duration of that Registration for the purpose of allowing the Registrant to complete the Degree Course.

Application for Registration upon completion of Degree Course

7. (1) A Registrant who has completed a Degree Course and who wishes to be registered on the part of the Register for social workers, shall apply to the Council for Registration in accordance with these Rules;
- (2) An application for Registration specified in paragraph (1) above shall be treated as a new application for Registration and the provisions of Rule 4 shall apply.

Renewal of Registration for social workers and other social service workers

8. (1) This rule shall not apply to Registrations in the part of the Register for students.
- (2) Registration will be renewed for further specified periods of up to three years in the case of Social Workers, and up to five years in the case of a Social Service Worker who is not a Social Worker.
- (3) Applications for renewal of Registration shall be made on the form approved by the Council for the purpose. The provisions of Rule 4(3) and 4(5) shall apply for the purposes of determining a renewal application.
- (4) The Council shall only grant an application to renew Registration where:
- (a) it is satisfied that the Registrant has satisfactorily fulfilled any condition or conditions attached to the Registrant's Registration in the relevant part of the Register; and
 - (b) it has received:
 - (i) satisfactory evidence, as set out in Rule 4(3) above, of an Applicant's good character; good conduct; and competence;
 - (ii) where the application relates to the part or parts of the Register for Social Workers or Care Commission Officers or Residential Child Care Workers, or Managers of an Adult Day Care Service, or Managers of a Care Home Service for Adults or Day Care of Children Service

Workers, or Practitioners in a Care Home Service for Adults, or Supervisors in a Care Home Service for Adults or Support Workers in a Care Home Service for Adults, satisfactory assurances that an Applicant has completed the Post Registration Training and Learning Requirements set out in SCHEDULE 3 and the Council may at its discretion require evidence which may include verification by third parties that the Post Registration Training and Learning Requirements have been completed in accordance with its published Guidance, and in terms of the Guidance the evidence required may vary as between classes of person on the same part of the Register, provided that if a Social Service Worker other than a Newly Qualified Social Worker is registered for less than a registration period of three years, that Social Service Worker shall be required during that period of registration to undertake a period of study, training, courses, seminars, reading, teaching or other activities referred to in the paragraphs of Schedule 3 which relate to that category of Social Service Worker which shall be completed in the same proportion to the requirements in Schedule 3 that the period of registration in months bears to 36;

- (iii) a statement that the Applicant has read and understood the Code of Practice for Social Service Workers and an undertaking to abide by the Code of Practice, and to make

timeous payment of the Annual Fee all on a form approved for the purpose by the Council;

- (iv) except where the application relates to an application to renew registration at the end of a period of registration as a Newly Qualified Social Worker, a completed application form (signed by the Applicant and to be counter-signed by the Council) together with the appropriate fee, for the purpose of obtaining an enhanced criminal record certificate known as an Enhanced Disclosure, under section 115(1) of the Police Act 1997; and
- (v) payment of any Renewal Fee for the relevant part or parts of the Register set by the Council.

- (5) Except where the Council is minded to make a reference to the Registration Sub-committee under Rule 16 below, the Council shall notify the Applicant of its decision on the application in writing.

Removal from the Register for non participation in a Degree Course

9. (1) Where, for academic, health or personal reasons, a Registrant in the part of the Register for students is no longer participating in a Degree Course, the Council may remove that Registrant's entry from the Register.

- (2) Where a person's name has been removed from the Register under paragraph (1) above, and that person wishes to resume participation in the same or another Degree Course, the former Registrant shall make an application for restoration to the Register in accordance with Rule 12.

- (3) Where a Registrant in the part of the Register for students has been expelled or suspended from a Degree Course or the University providing the Degree Course on disciplinary grounds, the Council shall refer the Registrant to the Preliminary Proceedings Sub-Committee, in accordance with the Council's Conduct Rules.

- (4) The Council shall not remove a Registrant's entry from the Register in accordance with Rule 9(1), where that Registrant is the subject of current or pending enquiries, investigation or disciplinary proceedings under the Council's Conduct Rules.

Removal from the Register for other reasons

10. (1) This Rule shall not apply to Registrations in the part of the Register for students.
- (2) Notwithstanding any provisions for removal of a Registrant's Entry from the Register set out in the Council's Conduct Rules, the Council shall refer to the Registration Sub-committee, the question of whether a Registrant's Registration should be removed from the Register or from a part of the Register, upon any of the following:
 - (a) failure by the Registrant to make any application for renewal of Registration before the expiry of the period specified in Rule 6 (1) above;
 - (b) a proposal by the Council not to grant an application for renewal or to grant a renewal subject to a condition.
- (3) The Council shall not refer to the Registration Sub-committee any application by a Registrant for removal from the Register, where that Registrant is the subject of current or pending enquiries, investigation or disciplinary proceedings under the Council's Conduct Rules.
- (4) The Council may at its discretion remove a Registrant's Registration from the Register, at the request of that Registrant, where that Registrant is registered with a Care Council, or where that Registrant requests in writing that they be so removed without referring the request to a

Registration Sub-committee, provided that the Council is satisfied there is no good reason why the Registrant's Registration should not be removed.

- (5) The Council shall remove a Registrant's Registration from a relevant part of the Register without referring the matter to a Registration Sub-committee in the following circumstances: -
- (a) where a Registrant is registered in the part of the Register for Care Commission Officers, where that Registrant is no longer a Care Commission Officer;
 - (b) where a Registrant is registered in a part of the Register for Residential Child Care Workers, and that Registrant is no longer a Residential Child Care Worker to whom that part of the Register relates;
 - (c) where a Registrant is registered in the part of the Register for Managers of an Adult Day Care Service and that Registrant is no longer a Manager of such a service;
 - (d) where a Registrant is registered in the part of the Register for Managers of a Care Home Service for Adults and that Registrant is no longer a Manager of such a service;
 - (e) where a Registrant is registered in the part of the Register for Social Workers and that Registrant has applied for registration in a part of the Register for any prescribed description of social service worker, except Care Commission Officers,
 - (f) where a Registrant is registered in a part of the Register for Day Care of Children Service Workers and that Registrant is no longer

a Day Care of Children Service Worker to whom that part of the Register relates,

- (g) where a Registrant is registered in the part of the Register for Practitioners in a Care Home Service for Adults and that Registrant is no longer a Practitioner in such a service;
- (h) where a Registrant is registered in the part of the Register for Supervisors in a Care Home Service for Adults and that Registrant is no longer a Supervisor in such a service;
- (i) where a Registrant is registered in a part of the Register for Support Workers in a Care Home Service for Adults and that Registrant is no longer a Support Worker in a Care Home Service for Adults to whom that part of the Register relates,

unless that Registrant is subject to current or pending enquiries, investigation, or disciplinary proceedings under the Council's Conduct Rules.

- (6) The Registration Sub-committee shall decide whether or not to remove the Registrant's Entry in the Register, in accordance with the procedures set out in Part III below.

Alteration of the Register

- 11. (1) Where the Registration Sub-committee decides that the Registrant's entry should be removed from the Register or part of the Register, the Register shall not be so amended until the period of 14 days after notice of that decision has elapsed, or any appeal to the sheriff is finally determined or

abandoned, which ever is the later.

- (2) Where the Council receives written notification of the death of a Registrant evidenced by an original death certificate or certified true copy of a death certificate, the Entry relating to that Registrant shall be removed from the Register.
- (3) Where the Council removes a Registration from a part of the Register under Rule 10(5), the Entry relating to the Registrant shall be removed from that part of the Register.
- (4) On removal of an Entry by the Council as specified in Rule 11(1), (2) or (3) above, the Council shall make a corresponding Entry in the Removed Persons Register.

Application for restoration to the Register

12. (1) Save where removal from the Register or part of the Register was as a result of a refusal by the Registration Sub-committee to grant an application for renewal of Registration, or a determination made by the Council's Conduct Sub-committee, an application for restoration may be made to the Council.
- (2) An application for restoration shall be accompanied by the payment of the Restoration Fee for the relevant part or parts of the Register set by the Council.

- (3) The Council shall treat an application for restoration as an initial application for Registration, and the procedure set out in Rule 4 above, shall apply.
- (4) An application for restoration where removal from the Register was as a result of a determination made by the Council's Conduct Sub-committee, shall be made in accordance with the procedure set out in the Council's Conduct Rules.

Time limit for repeat applications

13. (1) Where an Applicant has made an unsuccessful application for Registration, renewal of Registration or restoration in respect of a part of the Register, the Council shall not consider any further applications from that Applicant in respect of that part of the Register until the expiry of two years from the date of rejection of the application unless, in the opinion of the Council, acting reasonably, there has been a material change in circumstances.

PART III
REGISTRATION COMMITTEE AND SUB-COMMITTEES

**Constitution, membership and quorum of Registration Committee and
Sub-committees**

14. (1) The Council shall establish a Registration Committee. Members of the Registration Committee shall be appointed for a period not exceeding 3 years and shall be eligible for re-appointment for further periods not exceeding 4 years in total. No defect in the appointment of a Member shall affect the validity of the proceedings or decisions of the Committee or any of its Sub-committees.
- (2) The Registration Committee shall consist of a pool of persons appointed by the Council, from which the Registration Sub-committees considering particular cases referred under Rule 16 below, shall be selected.
- (3) Each Registration Sub-committee shall consist of up to five members, appointed by the Council.
- (4) The quorum of each Registration Sub-committee shall be three, and each Registration Sub-committee shall sit with either three or five members present.
- (5) Each Registration Sub-committee shall include a Lay Person as a member.

- (6) The Council shall appoint a Convener of each Registration Sub-committee. The Convener shall be a Lay Person.
- (7) The Convener of the Council shall not sit as a member on the Registration Sub-committee.
- (8) The Council shall endeavour to appoint to each Registration Sub-committee, a member who is registered in the same part of the Register as the Applicant or Registrant whose case is under consideration, unless the Applicant or Registrant is
- (i) registered only in the part of the Register for students; or
 - (ii) registered only in the part of the Register for Care Commission Officers.
- (9) Where the Council is unable to appoint such a member, the Council shall wherever possible, ensure that a member is appointed to each Sub-committee who has experience or understanding of the area of social service work and where appropriate registration and inspection of social services relevant to the part of the Register on which the Applicant or Registrant whose case is under consideration is registered, unless the Applicant or Registrant is
- (i) registered only in the part of the Register for students; or
 - (ii) registered only in the part of the Register for Care Commission Officers.

- (10) No member of any Registration Sub-committee shall sit as such on the hearing of an Applicant or Registrant's case, if that member has previously been concerned with the case.

Voting and Decisions

15. (1) Decisions of each Registration Sub-committee shall be taken by simple majority.
- (2) No Convener of any Registration Sub-committee may exercise a casting vote.
- (3) Any abstention shall be deemed to be a vote in favour of the Applicant or Registrant.
- (4) Decisions of the Registration Sub-committees shall be treated as those of the Council.

Reference to the Registration Sub-committee

16. (1) The Council shall refer to the Registration Sub-committee:
 - (a) any application for Registration, or renewal of Registration, which it is not minded to grant unless the sole reason for the Council not being minded to grant the application is that the Applicant has not in the case for an application for Registration in the part of the Register for Social Workers satisfied the terms of Rule 4(8)(b) or in the case of an application for Registration in the part of the Register for Care Commission Officers satisfied the terms of Rule

4(8)(d), or in the case of an application for Registration in a part of the Register for Residential Child Care Workers satisfied the terms of Rule 4(8)(e) or in the case of an application for Registration in the part of the Register for Managers of an Adult Day Care Service, satisfied the terms of Rule 4(8)(f), or in the case of an application for Registration in the part of the Register for Managers of a Care Home Service for Adults, satisfied the terms of Rule 4(8)(g) or in the case of an application for Registration in a part of the Register for Day Care of Children Service Workers, satisfied the terms of Rule 4(8)(h), or in the case of an application for Registration in a part of the Register for Practitioners in a Care Home Service for Adults, satisfied the terms of Rule 4(8)(i), or in the case of an application for Registration in a part of the Register for Supervisors in a Care Home Service for Adults, satisfied the terms of Rule 4(8)(j), or in the case of an application for Registration in a part of the Register for Support Workers in a Care Home Service for Adults, satisfied the terms of Rule 4(8)(k) in which circumstance the Council shall issue a Notice of Proposal setting out:

- (i) the proposal that the Council is not minded to grant the application;
- (ii) the reasons for the proposal; and
- (iii) the Applicant's right to make written representations to the Council concerning any matter that the Applicant wishes to dispute within 14 days of service of the Notice of Proposal;

and having considered any written representations received by it in terms of section 48 (1) of the Act, reach its decision on whether or not to grant or to refuse the application and where the Council decides to refuse the application it shall send to the Applicant a Notice of Decision in terms of section 50 of the Act.

- (b) any application for Registration, or renewal of Registration, which it is minded to grant subject to a condition or conditions, unless a Notice of Proposal in terms of Rule 16(3) has been sent to the Applicant and the Applicant does not make written representations to the Council in terms of section 48(1) of the Act and confirms in writing that the Applicant agrees to the condition or conditions and its or their imposition;
- (c) any proposal under section 47 of the Act to impose, vary or remove conditions on an existing Registration unless a Notice of Proposal in terms of Rule 16(3) has been sent to the Registrant and the Registrant does not make written representations to the Council in terms of section 48(1) of the Act and confirms in writing that the Registrant agrees to the condition or conditions and its or their imposition, variation or removal; and
- (d) any proposal to remove a Registrant's Entry in the Register, other than in accordance with the Council's Conduct Rules, or, for the avoidance of doubt, in accordance with Rule 11(2) or (3), giving the reasons therefor.

- (2) The Council may refer any other application for Registration or renewal of Registration to the Registration Sub-committee.

- (3) The Notice of Proposal shall:
- (a) set out any proposal to impose, vary or remove a condition or conditions on Registration;
 - (b) set out the reasons for the proposal;
 - (c) set out the terms of the Applicant's or Registrant's agreement to the imposition, variation or removal of a condition or conditions on Registration;
 - (d) set out the Applicant's or Registrant's right to make written representations to the Council concerning any matter that the Applicant or Registrant wishes to dispute, within 14 days of serving the Notice of Proposal;
- (4) Where the Applicant or Registrant agrees to the imposition, variation or removal of the condition or conditions set out in the Notice of Proposal,
- (i) the Council shall send a Notice of Decision to the Applicant or Registrant; and
 - (ii) the Council shall send a copy of the Notice of Decision to:
the Applicant's or Registrant's Employer(s) (if any) or other person who countersigned the application form or endorsement; or
in the case of a Student the University providing the Degree Course or other person who endorsed the Applicant's application.
- (5) The Notice of Decision under Rule 16(4) shall:
- (a) set out the decision of the Council;
 - (b) specify the reasons for the Council's decision;

- (c) clearly set out any conditions imposed on the Applicant's Registration or imposed on, varied or removed from a Registrant's Registration;
- (d) set out the Applicant's or Registrant's agreement to imposition, variation or removal of a condition or conditions on their Registration;
- (e) set out the rights of appeal to the Sheriff, conferred by section 51 of the Act;
- (f) inform the Applicant or Registrant that the Council's decision shall not take effect until either 14 days after the Notice of Decision has been served, or in the event of an appeal to the Sheriff, until such appeal is finally determined or abandoned.

The Legal Adviser

17. (1) A Legal Adviser shall be present at meetings of each Registration Sub-committee to advise that Sub-committee on questions of law, and shall be present during the deliberations of each Sub-committee.
- (2) The Legal Adviser shall endeavour to ensure that the proceedings are conducted fairly. To this end, the Legal Adviser shall inform a Registration Sub-committee forthwith of any irregularity in the conduct of proceedings before that Sub-committee.
- (3) Each Registration Sub-committee shall maintain a record of any advice tendered by the Legal Adviser.

- (4) The advice of the Legal Adviser shall be given before the parties. Any advice given during the private deliberations of a Registration Sub-committee shall subsequently be repeated before the Parties.
- (5) The Parties shall have the opportunity to make representations on the contents of the advice given by the Legal Adviser.
- (6) Where representations have been made on the contents of the advice given by the Legal Adviser, the Legal Adviser shall consider whether the advice should be amended and shall advise the Registration Sub-Committee accordingly, in the presence of the Parties.
- (7) The Legal Adviser shall not participate in the decision making of any Registration Sub-committee, and shall not be entitled to vote.

The Medical Adviser

18. (1) Each Registration Sub-committee may, in such circumstances as it sees fit, appoint a Medical Adviser.
- (2) Each Registration Sub-committee shall maintain a record of any advice tendered by the Medical Adviser.
- (3) Any advice given by the Medical Adviser shall be given before the Parties.

- (4) The Parties shall be entitled to make representations on the contents of the advice tendered by the Medical Adviser and where representations have been made on the contents of the advice given by the Medical Adviser, the Medical Adviser shall consider whether the advice should be amended and shall advise the Registration Sub-Committee accordingly, in the presence of the Parties.
- (5) The Medical Adviser shall not participate in the decision making of any Registration Sub-committee, and shall not be entitled to vote.

The Clerk

19. (1) Each Registration Sub-committee shall be assisted by a Clerk.
- (2) The Clerk shall be responsible for the administrative arrangements for the hearing, and shall keep a record of decisions made by each Registration Sub-committee, and the reasons for them.
- (3) The Clerk shall not participate in the decision making of any Registration Sub-committee, and shall not be entitled to vote.

Evidence

20. (1) Save for any testimony given by the Applicant or Registrant in person or by an officer of the Council, a Registration Sub-committee shall not receive oral testimony from any witness, unless in the opinion of the Sub-committee acting reasonably, failure to receive oral testimony would not

be consistent with the requirements of fairness.

- (2) Each Registration Sub-committee may receive documentary evidence submitted by the Applicant or the Council, provided that any written statement shall be signed by the person making it and shall contain a statement of truth.
- (3) After obtaining the advice of the Legal Adviser, a Registration Sub-committee may also admit any evidence that would be regarded as relevant, and in terms of the Civil Evidence (Scotland) Act 1988, admissible in an ordinary civil court in Scotland.
- (4) The Registration Sub-Committee may admit the findings and determination of a regulatory body set out in SCHEDULE 4 in proceedings in respect of a Registrant or Applicant, as prima facie evidence of any facts found proved by that regulatory body.
- (5) Notwithstanding paragraph (4), the Applicant or Registrant shall be entitled to adduce evidence to the Registration Sub-committee in rebuttal of any findings made by a regulatory body set out in SCHEDULE 4.

Standard of proof

21. (1) Where facts are in dispute, the Registration Sub-Committee shall decide the facts on the civil standard.

Procedure

22. (1) Subject to the rules herein, the rules of natural justice and the requirements of a fair hearing, each Registration Sub-committee may decide its own procedure.
- (2) A Registration Sub-committee shall sit in private.
- (3) Not less than 28 days before the meeting of a Registration Sub-committee, the Clerk shall send the Applicant or Registrant a Notice of Referral.
- (4) The Notice of Referral shall:
 - (a) give the date, time and venue of the meeting of the Registration Sub-committee;
 - (b) set out any proposal to:
 - (i) refuse an application for Registration
 - (ii) refuse an application for renewal of Registration
 - (iii) impose, vary or remove a condition or conditions on Registration;
 - (iv) remove a Registrant's Entry from the Register.
 - (c) where there is a proposal set out the reasons for the proposal;
 - (d) set out the Applicant's right or Registrant's right to make written representations to the Council concerning any matter that the Applicant or Registrant wishes to dispute, within 14 days of service of the Notice;
 - (e) set out the Applicant's right or Registrant's right to attend the meeting, and to be heard in person or through a representative in

terms of paragraph (9), and set out the Applicant's or Registrant's rights in terms of paragraphs (10) and (11) of this Rule;

- (f) enclose copies of any material to be put before the Registration Sub-committee, except where the Council considers that the disclosure of such material would be prejudicial to the public interest, provided that where material has been withheld, the Notice of Referral shall inform the Applicant or Registrant of that fact;
 - (g) require the Applicant or Registrant to provide to the Clerk, no later than 14 days before the date of the meeting of the Registration Sub-committee certified copies of any documents on which the Applicant or Registrant intends to rely; and
 - (h) enclose a copy of these Rules;
- (5) No later than 14 days before the meeting of a Registration Sub-committee, the Applicant or Registrant shall provide to the Clerk, certified copies of any documents on which the Applicant or Registrant intends to rely and the Clerk shall provide a copy of such documents to the Council immediately.
- (6) Not less than 7 days before the meeting of a Registration Sub-committee, the Clerk shall send to each Sub-committee member:
- (a) a copy of the Notice of Referral;
 - (b) copies of all the documents which the Applicant or Registrant has submitted in connection with the referral;

- (c) copies of all the documents submitted in connection with the referral;
 - (d) any comments the Applicant or Registrant has submitted under Rule 4(6).
- (7) Subject to the requirements of a fair hearing, and after hearing representations from the Parties, the Sub-committee may, at any stage of the hearing, adjourn the proceedings for the purposes of seeking further information or for any other purpose. Where the hearing has been adjourned, the Clerk shall, as soon, as practicable, notify the Applicant or Registrant, and where the Registrant is registered in the part of the Register for students, the University, of the date fixed for the hearing to be resumed.
- (8) The Council's case may be presented by an officer of the Council, or by a solicitor or Counsel. Where the Council's case is presented by a solicitor or Counsel, an officer of the Council may be present at the meeting for the purpose of giving instructions.
- (9) The Applicant or Registrant may either appear in person, or be represented by:
- (a) a solicitor; or
 - (b) Counsel; or
 - (c) a representative from the Applicant or Registrant's Trade Union
 - (d) a representative from the Applicant or Registrant's Professional

Body, or where the Applicant or Registrant is a student, a representative from a Student Body.

- (10) The Convener of a Registration Sub-committee may permit the Applicant or Registrant to be represented by a person other than those listed in paragraph (9) above.
- (11) Any application to be represented by a person other than those listed in paragraph (9) above, shall be given or sent to the Clerk to be received not less than 7 days before the meeting of a Registration Sub-committee.
- (12) A person who represents or accompanies the Applicant or Registrant shall not be entitled to be called as a witness at the meeting.
- (13) A Registration Sub-Committee may exclude from the whole or any part of the meeting, any person whose conduct, in the opinion of the Sub-committee, has disrupted or is likely to disrupt the meeting.
- (14) Where the Applicant or Registrant is not present or represented at the meeting, a Registration Sub-committee, on being satisfied that due notice of the meeting was given, may determine the matter in the absence of the Applicant or Registrant.
- (15) The order of proceedings shall be as follows:
 - (a) if the Council has made a proposal, the Council's representative

shall make an opening statement explaining the reasons for that proposal;

- (b) the Applicant or Registrant shall make a statement in support of the application and, if the Council's representative has made an opening statement, may respond thereto;
- (c) the Council's representative may produce evidence;
- (d) the Applicant or Registrant may produce evidence in support of the application;
- (e) where oral testimony is given, the witness may be cross-examined by the other Party and may be questioned by the Sub-committee and re-examined;
- (f) each Party may sum-up;
- (g) the Registration Sub-Committee shall make its determination of the application; and
- (h) the Registration Sub-Committee shall announce its decision in the presence of the Parties.

For the purpose of this paragraph references to the Applicant or Registrant, or words importing the same, shall be construed to include their representative.

- (16) A Registration Sub-committee may:
 - (a) grant the application for Registration or renewal of Registration;
 - (b) refuse the application for Registration or renewal of Registration;
 - (c) impose conditions on Registration for a specified period;
 - (d) vary or remove existing conditions on Registration;
 - (e) direct that the Registrant's Entry be removed from the Register or

part of the Register;

- (f) refer an application for renewal of Registration to the Council's Preliminary Proceedings Sub-committee, where a complaint of Misconduct has been made against an Applicant or Registrant;
 - (g) adjourn the hearing at any time for the purpose of seeking further information, or for any other purpose.
- (17) Where a Registration Sub-committee has considered the evidence available and is minded to make a decision, other than a decision to grant the application, which was not proposed in the Notice of Referral, or where the Notice of Referral did not contain a proposal, and the Sub-committee is minded to impose a condition on a Registration or renewal of Registration, or is not minded to grant an application for Registration or renewal of Registration –
- (a) the Registration Sub-Committee shall adjourn the hearing; and
 - (b) within 7 days the Clerk shall send the Applicant or Registrant a Notice of Proposal setting out the conditions that the Sub-committee is minded to impose, or setting out that the Sub-committee is not minded to grant the application and informing the Applicant or Registrant of the date, time and venue of the reconvened hearing.
- (18) The Notice of Proposal shall inform the Applicant or Registrant of the right to make written representations to the Council concerning any matter that the Applicant or Registrant wishes to dispute, within 14 days of

service of the Notice.

- (19) At the reconvened hearing, a Registration Sub-committee shall take into account any written representations referred to in paragraph (18) above, and may afford the Applicant or the Registrant (or a representative of the Applicant or Registrant) the opportunity to make oral representations upon the proposals contained in the Notice of Proposal, and the Council a right of reply, to which the Applicant or Registrant may respond, before disposing of the matter.
- (20) Where a Registration Sub-committee determines that conditions should be imposed on the Registration of an Applicant or Registrant, it shall at the time of such determination, consider whether the Registrant's compliance with such conditions should be reviewed by the Sub-Committee before the end of the specified period, and if so, shall direct that a resumed hearing be set at a future date.
- (21) In exercising its powers, a Registration Sub-committee shall act in accordance with the principle of proportionality.
- (22) At the conclusion of the meeting, a Registration Sub-committee shall announce its decision and the reasons for it before the Parties (if present).
- (23) Where the decision of the Registration Sub-committee is to remove a Registrant's entry from the Register, the Clerk shall within 2 working days

inform:

- (a) the Registrant;
- (b) the Council;
- (c) the Registrant's last known Employer(s) if any;
- (d) where relevant, the Dean of Admission or equivalent of the University at which the Registrant was participating in the Degree Course;

of that decision.

(24) In all cases, within 7 days the Clerk shall send a Notice of Decision under this Rule to:

- (i) the Applicant or Registrant;
- (ii) the Council;
- (iii) the Employer(s) (if any) or other person who countersigned the application form or endorsement;
- (iv) the University providing the Degree Course or other person who endorsed the Applicant's application.

(25) The Notice of Decision shall:

- (a) record any advice given by the Legal Adviser or the Medical Adviser;
- (b) set out the decision of the Registration Sub-committee;
- (c) specify the reasons for the Registration Sub-committee's decision;
- (d) clearly set out any conditions imposed on, varied, or removed from the Registrant's Registration;

- (e) where applicable, set out the rights of appeal to the Sheriff, conferred by section 51 of the Act; and
- (f) inform the Applicant or Registrant that the Registration Sub-committee's decision (save in the case of unconditional registration or refusal of Registration) shall not take effect until either 14 days after the Notice has been served, or, in the event of an appeal to the Sheriff, until such appeal is finally determined or abandoned.

Resumed hearings

23. (1) Where conditions have been imposed on a Registrant's Registration, a Registrant may apply to the Sub-committee for a resumed hearing where the Registrant considers that there has been a material change of circumstances.
- (2) The Registration Sub-committee may, after considering legal advice from the Legal Adviser, and if satisfied that there has been a material change in circumstances, direct that a resumed hearing should take place.
- (3) At the resumed hearing, the Registration Sub-committee may vary or remove any conditions imposed on the Registrant's Registration at the original hearing, and/or impose additional conditions.
- (4) Not less than 28 days before the date of the resumed hearing, the Clerk shall send the Registrant a Notice of Resumed Hearing.

- (5) The Notice of Resumed Hearing shall:
- (a) specify the date, time and venue of the hearing;
 - (b) set out the Registrant's right to make written representations to the Council, within 14 days service of the Notice;
 - (c) set out the Registrant's right to be heard in person or through a representative;
 - (d) enclose copies of any material to be put before the Registration Sub-committee, except where the Council considers that the disclosure of such material would be prejudicial to the public interest;
 - (e) require the Registrant to provide to the Clerk, no later than 14 days before the date of the meeting of the Registration Sub-committee certified copies of any documents on which the Registrant intends to rely;
 - (f) enclose a copy of these Rules.
- (6) The procedure at the resumed hearing shall be the same as at the original hearing.

Postponement of hearing

24. (1) Where either Party wishes a Registration Sub-committee hearing to be postponed, such application shall be made in writing, to the Convener of the Sub-committee.
- (2) The Party making such application shall serve a copy of the application on

the other Party, together with any supporting documentation.

- (3) The Party served with the application may submit a written response to the Convener of the Sub-committee.
- (4) The application shall be considered by the Convener of the Sub-committee who shall determine the application, taking into account:
 - (a) the submissions of both Parties;
 - (b) any likely prejudice to either Party;
 - (c) the public interest in the expeditious disposal of the case.
- (5) In the event that the application for postponement is granted, or the matter has to be re-scheduled for some other reason, the Clerk shall inform the Parties and the Complainant of the new hearing date, as soon as possible.

PART IV

FEES

Application and renewal fee

25. (1) The fee to be charged for processing an application for Registration under Rule 4 (“the Application Fee”) or an application for renewal under Rule 8 (“the Renewal Fee”) is as set out in SCHEDULE 2 to these Rules, and shall be non refundable in the event that the application is refused. Where an Applicant is applying to be registered or to renew a Registration in more than one part of the Register, the Application Fee or Renewal Fee shall be payable in respect of one part only. Where the Application Fee or Renewal Fee differs between different parts of the Register, the highest that is relevant to the particular application shall apply.
- (2) Subject to paragraph (3) the Council shall refuse to make an Entry in the Register in respect of such a person unless the relevant Application Fee or Renewal Fee is paid.
- (3) For the avoidance of doubt, students shall not be required to pay the Renewal Fee.

Annual fee

26. (1) The fee to be paid by a Registrant in respect of the retention in the Register of any Registration in any part of the Register in any year following the year in which the Registration was first made (“the Annual Fee”) is as set out in SCHEDULE 2 to these Rules. Where a Registrant is registered in more than one part of the register, the Annual Fee shall be

payable in respect of one part only. Where the Annual Fee differs between different parts of the Register, the highest that is relevant to the particular Registration shall apply.

- (2) Where a Registrant has not given the Council a Bank Authority, the Council shall send the Registrant a letter not less than one calendar month before the date on which the Annual Fee is due which states that the Annual Fee is due and the date on which it is due. If the Annual Fee remains unpaid seven days after the date the Annual Fee is due, the Council shall send the Registrant a notice in writing requiring payment of the Annual Fee forthwith.

Restoration fee

27. (1) The fee to be charged for processing an application for restoring an Entry to the Register (“the Restoration Fee”) is as set out in SCHEDULE 2 to these Rules, and shall be non refundable in the event that the application is refused. Where an Applicant is applying for restoration of an Entry to the Register in more than one part of the Register, the Restoration Fee shall be payable in respect of one part only. Where the Restoration Fee differs between different parts of the Register, the highest that is relevant to the particular application shall apply.
- (2) Where a Registrant has applied to be restored to the Register, the Council shall not make an Entry in the Register unless the relevant Restoration Fee has been paid.

Waiver of fees

28. (1) Notwithstanding the provisions set out in Rules 25, 26 and 27 above, the Council may choose to waive any fees to be charged to an Applicant or Registrant, where:
- (a) that Applicant or Registrant is already registered with the Council or a Care Council and has paid fees to that Care Council;
 - (b) that Applicant or Registrant is already registered with a Care Council and wishes to undertake a practice placement within the Council's jurisdiction;
 - (c) that Applicant or Registrant wishes to resume participation in a Degree Course;
 - (d) that Registrant's Registration has been suspended by the Council;
 - or
 - (e) that Applicant has previously been refused Registration in the part of the Register to which the application relates on the grounds of a pending criminal charge or pending disciplinary action, and that charge or action is dropped.

Failure to Pay Fees

29. (1) Failure by a Registrant to make timeous payment of fees owed to the Council in terms of these Rules, may be considered misconduct by the Council.

PART V
THE REGISTER

The Form of the Register

30. (1) The Register shall, in respect of each person whose name is entered in the Register, contain the following information:
- (a) full name (and previous name(s) if any) and title;
 - (b) date of birth;
 - (c) home address, and in the case of Registration in the part of the Register for students, term-time address;
 - (d) place of employment (or place of participation in degree course);
 - (e) the date on which the Registrant was registered;
 - (f) if the Registration is subject to conditions, those conditions;
 - (g) Registration number, and the part or parts of the Register in which the Registrant is registered;
 - (h) qualification, the establishment from which the qualification was obtained and the date on which it was obtained;
 - (i) such other qualifications as the Council has determined may be entered in the Register;
 - (j) if the Registrant is registered in the Register of another Care Council, that fact;
 - (k) any sanctions imposed in the event of a finding of misconduct by the Council's Conduct Sub-Committee, and
 - (l) if the Registrant is subject to suspension, or interim suspension that

fact; and

- (m) a record of any reminder given to the Registrant in terms of the Council's Conduct Rules of the terms of the Code of Practice for Social Service Workers, and a record of the reasons for the reminder.

Access to the Register

- 31. (1) Access to the Register shall be in accordance with the Scottish Social Services Council (Appointments, Procedure and Access to the Register) Regulations 2001.

The Keeping of the Register

- 32. (1) The Register shall be kept secure in a manner which guards against falsification.
- (2) Where an Interim Suspension Order has been imposed on a Registrant's Registration by a Preliminary Proceedings Sub-committee or a Suspension Order has been imposed on a Registrant's Registration by the Council's Conduct Sub-committee, the Council shall enter the particulars of the Order against the name of the Registrant in the Register, but shall remove the name of the Registrant from the part of the Register which is made available to persons who are not Relevant Employers.
- (3) Where an Order referred to in paragraph (2) ceases to have effect, is revoked or is replaced by another such Order, the Council shall remove

the Entry relating to it in the Register and, where the Order is replaced by another Order, enter the particulars of that Order in the Register.

- (4) The Council may, on the application in writing of a Registrant, amend the Registrants' Entry in the Register, if the Entry is factually incorrect and shall, where a Registrant's Registration is subject to conditions and the conditions have been removed, amend the Register accordingly.
- (5) Before amending the Register in accordance with an application made under paragraph (4), the Council shall satisfy itself as to the accuracy of the information to be entered in the Register and may require the Registrant making the application to produce an affidavit, a marriage certificate or such other documentary evidence as the Council considers appropriate in any case.
- (6) Where an order for removal of an Entry in the Register has been made under section 49 of the Act, the Council shall remove the Entry in the Register, except to the extent that it discloses the fact of a Registrant's removal, and make a corresponding Entry in the Removed Persons Register.
- (7) The Entry in the Removed Persons Register shall give the details of the order made; the duration of such order; and the reasons for removal from the Register.

Issue and form of certificates

33. (1) Where the Council enters the name of a Registrant in the Register, it shall issue to the Registrant a certificate of Registration.
- (2) A certificate of Registration shall be in the form determined by the Council and shall -
- (a) state the Registrant's -
 - (i) name;
 - (ii) Registration number and the part or parts of the Register in which the Registrant is registered;
 - (iii) date of Registration;
 - (b) state whether the Registrant's Registration is subject to conditions;
and
 - (c) be signed on behalf of the Council.

The Scottish Ministers having consented, the Council hereby makes these Rules.



Convener

On behalf of the Scottish Social Services Council

9 June 2008

SCHEDULE 1

APPROVED COURSES FOR SOCIAL WORKERS

1. A course leading to a Certificate in Child Care or Home Office Letter of Recognition in Child Care (issued by the Home Office Central Training Council in Child Care from 1947 to 1971).
2. A course leading to a Certificate in Social Work (issued by the Council for Training in Social Work from 1962 to 1971).
3. A course leading to a Probation Certificate or satisfactory completion of courses by the Recruitment and Training Committee (issued or recognised as the case may be by the Recruitment and Training Committee of the Advisory Council for Probation and After Care until 1971).
4. A course leading to a Certificate or satisfactory completion of courses recognised by the Institute of Medical Social Workers (previously the Institute of Almoners).
5. A course recognised by the Association of Psychiatric Social Workers and subsequently recognised by CCETSW as an approved course for social workers.
6. A course leading to a Certificate of Qualification in Social Work (issued by the Central Council for Education and Training in Social Work from 1971 to 2002).
7. A course leading to a Letter of Comparability to the Certificate of Qualification in Social Work issued by the Central Council for Education and Training in Social Work (issued until 1990).
8. A course leading to a Certificate in Social Service (issued by the Central Council for Education and Training in Social Work from 1975 to 1995).
9. A course leading to a Diploma in Social Work issued by the Central Council for Education and Training in Social Work, a Care Council or the Council (issued from 1991).

10. **Certificate or Diploma in Applied Social Studies:**

- (i) University of Aberdeen
- (ii) Queen's University, Belfast
- (iii) University of Bristol
- (iv) University College, Cardiff
- (v) University College, Dublin (National University of Ireland)
- (vi) University of Dundee
- (vii) University of Glasgow
- (viii) University of Hull
- (ix) University of Keele
- (x) University of Leicester
- (xi) University of Liverpool
- (xii) University of London, Bedford College
- (xiii) University of London, Goldsmiths' College
- (xiv) London School of Economics
- (xv) University of Newcastle upon Tyne
- (xvi) University of Nottingham
- (xvii) University of Oxford
- (xviii) University of Sheffield
- (xix) University of Southampton
- (xx) University of Surrey
- (xxi) University College, Swansea
- (xxii) New University, Ulster

11 **Diploma in Social Work or Diploma in Social Work Studies:**

- (i) Queen's University, Belfast
- (ii) University of Birmingham
- (iii) University of Edinburgh
- (iv) Enfield College of Tech
- (v) University of Kent, Canterbury
- (vi) University of Leicester
- (vii) London School of Economics (from 1970)
- (viii) University of Sussex

12 **BA (Hons) degree in Applied Social Studies or BA (Hons) degree in Applied Social Science:**

- (i) University of Bradford
- (ii) Enfield College of Tech – with appropriate social work options
- (iii) Hatfield Polytechnic
- (iv) University of Keele
- (v) Lanchester Polytechnic, Coventry

- 13 **MA Degree in Applied Social Studies:**
- (i) University College, Bangor
 - (ii) University of Nottingham
- 14 **Diploma for Advanced Studies in Social Administration & Social Work (with appropriate social work options)**
- (i) University of Manchester
- 15 **Diploma in Social & Administrative Studies (with appropriate social work options)**
- (i) University of Oxford
- 16 **Bachelor of Phil (with appropriate social work options)**
- (i) University of Exeter
 - (ii) University of Liverpool
- 17 **M Phil (with appropriate social work options)**
- (i) University of York
- 18 **Master of Social Science (with appropriate social work options)**
- (ii) University College, Dublin (National University of Ireland)
- 19 **Certificate in Medical Social Work**
- (i) University of Edinburgh
 - (ii) Institute of Medical Social Workers
- 20 **Certificate in Psychiatric Social Work or Diploma in Psychiatric Social Work**
- (i) University of Edinburgh
 - (ii) University of Leeds
 - (iii) University of Manchester

- 21 **Certificate in Child Care**
(i) University of Edinburgh
- 22 **Diploma for Social Workers in Mental Health**
(ii) London School of Economics
- 23 **MSc in Social Administration & Social Work Studies**
(iii) London School of Economics
- 24 **Masters in Social Work**
(iv) University of Sussex
- 25 **BA/BSc (Hons) Sociology (with appropriate social work options)**
(i) Bath University of Technology

A handwritten signature in black ink, appearing to be 'G. S. S.', written in a cursive style.

Convener

On behalf of the Scottish Social Services Council

9 June 2008

SCHEDULE 2

FEES CHARGED BY THE COUNCIL

Fees in relation to the Part of the Register for Social Workers

(i) For Applicants who are not Newly Qualified Social Workers:

- | | |
|---|------|
| 1. Application fee for Applicants who have completed an Approved Course or who hold a letter of verification in relation to other qualifications | £30 |
| 2. Application fee for Applicants who have not completed an Approved Course and who do not hold a letter of verification in relation to other qualifications but who meet the requirements imposed by Rule 4(8)(b)(iii) | £155 |
| 3. Renewal Fee | £30 |
| 4. Annual Fee | £30 |
| 5. Restoration Fee | £30 |

(ii) For Applicants who are Newly Qualified Social Workers and are

(a) contracted to work 35 hours or more per week

- | | |
|---------------------------------|-----|
| 1. Application fee | £30 |
| 2. Pro Rata Annual Fee | £15 |
| 3. Renewal Fee | £30 |
| 4. Annual Fee following Renewal | £30 |
| 5. Restoration Fee | £30 |

(b) contracted to work 35 hours or less per week

- | | |
|--------------------|-----|
| 1. Application Fee | £30 |
| 2. Renewal Fee | £30 |
| 3. Annual Fee | £30 |
| 4. Restoration Fee | £30 |

Fees in Relation to the Part of the Register for Students

1.	APPLICATION FEE	£10
2.	ANNUAL FEE	£10
3.	RESTORATION FEE	£10

Fees in Relation to the Part of the Register for Care Commission Officers

1.	APPLICATION FEE FOR APPLICANTS WHO SATISFY THE REQUIREMENTS OF RULE 4(8)(d)(i), (ii) and (iii)	£30
2.	RENEWAL FEE	£30
3.	ANNUAL FEE	£30
4.	RESTORATION FEE	£30

Fees in Relation to a Part of the Register for Residential Child Care Workers

1.	APPLICATION FEE FOR APPLICANTS WHO SATISFY THE REQUIREMENTS OF RULE 4(8)(e)(i)	£30
2.	APPLICATION FEE FOR APPLICANTS WHO MEET THE REQUIREMENTS IMPOSED BY RULE 4(8)(e)(ii)	£155
3.	RENEWAL FEE	£30
4.	ANNUAL FEE	£30
5.	RESTORATION FEE	£30

Fees in Relation to the Part of the Register for Managers of an Adult Day Care Service

1.	APPLICATION FEE FOR APPLICANTS WHO SATISFY THE REQUIREMENTS OF RULE 4(8)(f)(i)	£30
2.	APPLICATION FEE FOR APPLICANTS WHO MEET THE REQUIREMENTS IMPOSED BY RULE 4(8)(f)(ii)	£155
3.	RENEWAL FEE	£30
4.	ANNUAL FEE	£30
5.	RESTORATION FEE	£30

**Fees in Relation to the Part of the Register for Managers of a Care Home Service
for Adults**

1.	APPLICATION FEE FOR APPLICANTS WHO SATISFY THE REQUIREMENTS OF RULE 4(8)(g)(i)	£30
2.	APPLICATION FEE FOR APPLICANTS WHO MEET THE REQUIREMENTS IMPOSED BY RULE 4(8)(g)(ii)	£155
3.	RENEWAL FEE	£30
4.	ANNUAL FEE	£30
5.	RESTORATION FEE	£30

**Fees in Relation to the Part of the Register for a Manager of a Day Care of Children
Service**

1.	APPLICATION FEE FOR APPLICANTS WHO SATISFY THE REQUIREMENTS OF RULE 4(8)(h)(i)	£30
2.	APPLICATION FEE FOR APPLICANTS WHO MEET THE REQUIREMENTS IMPOSED BY RULE 4(8)(h)(ii)	£155
3.	RENEWAL FEE	£30
4.	ANNUAL FEE	£30
5.	RESTORATION FEE	£30

**Fees in Relation to the Part of the Register for a Practitioner in a Day Care of
Children Service**

1.	APPLICATION FEE FOR APPLICANTS WHO SATISFY THE REQUIREMENTS OF RULE 4(8)(h)(i)	£20
2.	APPLICATION FEE FOR APPLICANTS WHO MEET THE REQUIREMENTS IMPOSED BY RULE 4(8)(h)(ii)	£145
3.	RENEWAL FEE	£20
4.	ANNUAL FEE	£20
5.	RESTORATION FEE	£20

Fees in Relation to the Part of the Register for a Support Worker in a Day Care of Children Service

1.	APPLICATION FEE FOR APPLICANTS WHO SATISFY THE REQUIREMENTS OF RULE 4(8)(h)(i)	£15
2.	APPLICATION FEE FOR APPLICANTS WHO MEET THE REQUIREMENTS IMPOSED BY RULE 4(8)(h)(ii)	£140
3.	RENEWAL FEE	£15
4.	ANNUAL FEE	£15
5.	RESTORATION FEE	£15

Fees in Relation to the Part of the Register for a Practitioner in a Care Home Service for Adults

1.	APPLICATION FEE FOR APPLICANTS WHO SATISFY THE REQUIREMENTS OF RULE 4(8)(h)(i)	£20
2.	APPLICATION FEE FOR APPLICANTS WHO MEET THE REQUIREMENTS IMPOSED BY RULE 4(8)(h)(ii)	£145

3.	RENEWAL FEE	£20
4.	ANNUAL FEE	£20
5.	RESTORATION FEE	£20

Fees in Relation to the Part of the Register for a Supervisor in a Care Home Service for Adults

1.	APPLICATION FEE FOR APPLICANTS WHO SATISFY THE REQUIREMENTS OF RULE 4(8)(h)(i)	£20
2.	APPLICATION FEE FOR APPLICANTS WHO MEET THE REQUIREMENTS IMPOSED BY RULE 4(8)(h)(ii)	£145
3.	RENEWAL FEE	£20
4.	ANNUAL FEE	£20
5.	RESTORATION FEE	£20

**Fees in Relation to the Part of the Register for a Support Worker in a Care Home
Service for Adults**

- | | | |
|----|---|------|
| 1. | APPLICATION FEE FOR APPLICANTS WHO SATISFY THE
REQUIREMENTS OF RULE 4(8)(h)(i) | £15 |
| 2. | APPLICATION FEE FOR APPLICANTS WHO MEET THE REQUIREMENTS
IMPOSED BY RULE 4(8)(h)(ii) | £140 |
| 3. | RENEWAL FEE | £15 |
| 4. | ANNUAL FEE | £15 |
| 5. | RESTORATION FEE | £15 |



Convener

On behalf of the Scottish Social Services Council

9 June 2008

SCHEDULE 3

POST REGISTRATION TRAINING AND LEARNING REQUIREMENTS

1. Social Workers
 - (i) Every Social Worker registered with the Council, except if that Social Worker is a Newly Qualified Social Worker, shall, within the period of Registration, complete 15 days [90 hours] of study, training, courses, seminars, reading, teaching or other activities which could reasonably be expected to advance the social worker's professional development, or contribute to the development of the profession as a whole, at least five days [30 hours] of which shall focus on working effectively with colleagues and other professionals to identify, assess and manage risk to vulnerable groups in order to ensure that all social workers are assisted to meet their primary responsibility of protecting children and adults from harm.

(ii) Newly Qualified Social Workers

Where a social worker is a Newly Qualified Social Worker, that social worker shall within the period of 12 months following the entry of that social worker's name in the Register, complete 24 days [144 hours] of study, training courses, seminars, reading, teaching or other activities which could reasonably be expected to advance the newly qualified social worker's professional development or contribute to the development of the profession as a whole, at least five days [30 hours] of which shall focus on working effectively with colleagues and other professionals to identify, assess and manage risk to vulnerable groups in order to ensure that all social workers are assisted to meet their primary responsibility of protecting children and adults from harm, except where that social worker is contracted to work less than 35 hours per week. In such circumstances that social worker will require to undertake the foregoing activities within the period of 18 months following the entry of that social worker's name on the Register. Within 14 months of the newly qualified social worker's name being entered on the Register, that social worker will be required to submit a pro forma (detailing the foregoing activities and commenting on how these have assisted the newly qualified social worker to consolidate their social work knowledge, skills and values and how, in particular, the activities have developed their ability to contribute to child protection and adult protection) in accordance with the form approved by the Council for this purpose, except where that newly qualified social worker is contracted to work less than 35 hours per week and in such circumstance that social worker will require to submit the pro forma within 20 months of their

name being entered on the Register;

- (iii) Every social worker registered with the Council shall keep a record of Post Registration Training and Learning undertaken.
- (vi) Failure to meet the foregoing Post Registration Training and Learning requirements may be considered misconduct by the Council.

2. Care Commission Officers

- (i) Every Care Commission Officer registered with the Council shall within the period of Registration, complete 15 days [90 hours] of study, training, courses, seminars, reading, teaching or other activities which could reasonably be expected to advance the Care Commission Officer's professional development, or inform their practice.
- (ii) Every Care Commission Officer registered with the Council shall keep a record of Post Registration Training and Learning undertaken.
- (iii) Failure to meet the foregoing Post Registration Training and Learning Requirements may be considered misconduct by the Council.

3. Residential Child Care Workers

- (i) Every Residential Child Care Worker registered with the Council shall within the period of Registration, complete 15 days [90 hours] of study, training, courses, seminars, reading, teaching or other activities which could reasonably be expected to advance the Residential Child Care Worker's professional development, or inform their practice.
- (ii) Every Residential Child Care Worker registered with the Council shall keep a record of Post Registration Training and Learning undertaken.

- (iii) Failure to meet the foregoing Post Registration Training and Learning Requirements may be considered misconduct by the Council.
4. Managers of an Adult Day Care Service
- (i) Every Manager of an Adult Day Care Service registered with the Council shall within the period of Registration, complete 15 days [90 hours] of study, training, courses, seminars, reading, teaching or other activities which could reasonably be expected to advance the Manager's professional development, or inform their practice.
 - (ii) Every Manager of an Adult Day Care Service registered with the Council shall keep a record of Post Registration Training and Learning undertaken.
 - (iii) Failure to meet the foregoing Post Registration Training and Learning Requirements may be considered misconduct by the Council.
5. Managers of a Care Home Service for Adults
- (i) Every Manager of a Care Home Service for Adults registered with the Council shall within the period of Registration, complete 15 days [90 hours] of study, training, courses, seminars, reading, teaching or other activities which could reasonably be expected to advance the Manager's professional development, or inform their practice.
 - (ii) Every Manager of a Care Home Service for Adults registered with the Council shall keep a record of Post Registration Training and Learning undertaken.
 - (iii) Failure to meet the foregoing Post Registration Training and Learning Requirements may be considered misconduct by the Council.

6. Day Care of Children Service Workers
 - (i) Every Day Care of Children Service Worker registered with the Council shall within the period of Registration, complete 10 days [60 hours] of study, training, courses, seminars, reading, teaching or other activities which could reasonably be expected to advance the worker's professional development, or inform their practice.
 - (ii) Every Day Care of Children Service Worker registered with the Council shall keep a record of Post Registration Training and Learning undertaken.
 - (iii) Failure to meet the foregoing Post Registration Training and Learning Requirements may be considered misconduct by the Council.

7. Practitioners in a Care Home Service for Adults
 - (i) Every Practitioner in a Care Home Service for Adults registered with the Council shall within the period of Registration, complete 10 days [60 hours] of study, training, courses, seminars, reading, teaching or other activities which could reasonably be expected to advance the Practitioner's professional development, or inform their practice.
 - (ii) Every Practitioner in a Care Home Service for Adults registered with the Council shall keep a record of Post Registration Training and Learning undertaken.
 - (iii) Failure to meet the foregoing Post Registration Training and Learning Requirements may be considered misconduct by the Council.

8. Supervisors in a Care Home Service for Adults
 - (i) Every Supervisor in a Care Home Service for Adults registered with the Council shall within the period of Registration, complete 10 days [60 hours] of study, training, courses, seminars, reading, teaching or other activities which could reasonably be expected to advance the Supervisor's professional development, or inform their practice.
 - (ii) Every Supervisor in a Care Home Service for Adults registered with the Council shall keep a record of Post Registration Training and Learning undertaken.
 - (iii) Failure to meet the foregoing Post Registration Training and Learning Requirements may be considered misconduct by the Council.

9. Support Worker in a Care Home Service for Adults
- (i) Every Support Worker in a Care Home Service for Adults registered with the Council shall within the period of Registration, complete 10 days [60 hours] of study, training, courses, seminars, reading, teaching or other activities which could reasonably be expected to advance the Worker's professional development, or inform their practice.
 - (ii) Every Support Worker in a Care Home Service for Adults registered with the Council shall keep a record of Post Registration Training and Learning undertaken.
 - (iii) Failure to meet the foregoing Post Registration Training and Learning Requirements may be considered misconduct by the Council.



Convener

On behalf of the Scottish Social Services Council

9 June 2008

SCHEDULE 4

REGULATORY BODIES WHOSE DETERMINATIONS MAY BE CONSIDERED BY A REGISTRATION SUB-COMMITTEE

General Social Care Council

Northern Ireland Social Care Council

Care Council for Wales

General Medical Council

General Teaching Council for England

General Teaching Council for Wales

General Teaching Council for Northern Ireland

General Teaching Council for Scotland

Health Professions Council

Nursing and Midwifery Council

General Dental Council

The British Psychological Society

Scottish Commission for the Regulation of Care

Commission for Social Care Inspection

Care Inspectorate for Wales

Health and Personal Services Regulation and Improvement Authority (HPSSRIA)

Royal Pharmaceutical Society of Great Britain



Convener

On behalf of the Scottish Social Services Council

9 June 2008