

Press release

Regulated Professions (Health and Social Care) (Amendment) Act 2023 passes into law

From [Department of Health \(/en/organisation/departments-of-health/\)](https://www.gov.ie/en/organisation/departments-of-health/).

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The Minister for Health Stephen Donnelly has today welcomed the signing into law of the Regulated Professions (Health and Social Care) (Amendment) Bill 2023 by President Michael D. Higgins.

The Act amends the Medical Practitioners Act 2007, the Health and Social Care Professionals Act 2005, and certain un-commenced sections of the Regulated Professions (Health and Social Care) (Amendment) Act 2020.

Speaking about the legislation, Minister Donnelly said:

"I'm pleased the President has now signed the Regulated Professions (Health and Social Care) (Amendment) Act 2023 into law, ensuring there is a fair and proportionate pathway for social care workers to register with CORU, Ireland's multi-profession health regulator, and see Member State citizens with equivalent experience treated the same as their Irish counterparts.

"Similarly, this will apply to UK citizens, reflecting the historical cooperation between our two islands in matters relating to cross-border healthcare, while recognising the strong worker mobility between the UK and Ireland, and have a positive impact on service provision in border counties.

"This Act provides greater powers to the Social Care Worker Registration Board to determine the competence of an employer or former employer to form an opinion, and to determine the duration of any employment relationship. Registration of social care workers and the protection of the title from November 2025 are important patient safety measures and I welcome the opening of the register later this year."

Amendments introduced by the 2023 Act when applied to existing provisions of the Health and Social Care Professionals Act 2005, include:

- during the grandfathering period. social care workers will be eligible to apply for

registration based on an employer's opinion as to their proficiency

- the Social Care Workers Registration Board will have greater powers to determine the competence of an employer or former employer to form an opinion, and to determine the duration of any employment relationship
- social care work experience for the purposes of grandfathering can be obtained in Ireland, any Member State of the EU/EEA or the United Kingdom. This will ensure that Member State citizens with equivalent experience will be treated the same as Irish citizens in line with European Treaty rights. In terms of broadening this provision to experience gained in the UK, this reflects the historical cooperation between our two islands in matters relating to cross-border healthcare and it recognises the strong worker mobility between the UK and Ireland. It will have a particular positive impact on service provision in border counties
- applicants seeking registration through grandfathering must have at least two-years' experience in the practice of social care work, but this need not be continuous
- this experience must be recent. That is, it must be gained within five years of the application date, which can be up to two years after the register opens
- in addition to experience, applicants must meet the other requirements for registration such as payment of fees, and fit and proper person criteria

Notes

Social Care Work is a designated profession under the Health and Social Care Professionals Act 2005 and the profession is due to be regulated by CORU in November 2023 when the register for Social Care Workers is due to open. After two years, the title of social care worker will be protected (November 2025) and registration with CORU will be required to practise the profession.

Once the register opens, the Health and Social Care Professionals Act 2005 will provide five routes to registration - section 38 which will be used by graduates of one of the approved social care work programmes and section 91 which will be available until November 2025 for existing practitioners who have worked in the profession for two years by that deadline and either:

(i) hold a qualification specified in Schedule 3 of the Act; or

(i) hold a qualification specified in Schedule 3 of the Act, or

(ii) hold a professional qualification deemed to be sufficiently relevant and attesting to a standard of proficiency comparable to a specified Schedule 3 qualification; or

(iii) complete an Assessment of Professional Competence; or

(iv) have been determined by their employer to meet the standards of proficiency for the profession in accordance with guidelines issued by CORU

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