



# Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

## PART 6

SOCIAL CARE WORKERS: FITNESS TO PRACTISE

### CHAPTER 2

PRELIMINARY PROCEDURES

#### *Investigation*

#### **126 Powers following an investigation**

- (1) This section applies where the investigation of a matter relating to a registered person's fitness to practise has been concluded.
- (2) SCW must refer the matter to a fitness to practise panel if it is satisfied that—
  - (a) there is a realistic prospect of the panel finding that the registered person's fitness to practise is impaired, and
  - (b) it is in the public interest to refer the matter.
- (3) Where the matter is not referred to a fitness to practise panel, SCW may—
  - (a) decide to take no further action in respect of the registered person;
  - (b) give advice to the registered person, or to any other person involved in the investigation, in respect of any matter related to the investigation;
  - (c) issue a warning to the registered person in respect of future conduct or performance;
  - (d) agree with the registered person that he or she will comply with such undertakings as SCW thinks appropriate;

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*Status: This is the original version (as it was originally enacted).*

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- (e) grant an application under section 92 by the registered person for his or her entry in the register to be removed by agreement.