



Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

PART 6

SOCIAL CARE WORKERS: FITNESS TO PRACTISE

CHAPTER 3

DISPOSAL OF FITNESS TO PRACTISE CASES

136 Other consensual disposal by fitness to practise panel: undertakings

- (1) A fitness to practise panel may agree undertakings with the registered person if the person admits that his or her fitness to practise is impaired.
- (2) SCW must disclose details of the undertakings to any person—
 - (a) by whom, to the knowledge of SCW, the registered person is employed as a social care worker;
 - (b) who, to the knowledge of SCW, has an arrangement with the registered person for the registered person to provide services to a third party in his or her capacity as a social care worker;
 - (c) from whom, to the knowledge of SCW, the registered person is seeking such employment or such an arrangement;
 - (d) as may be prescribed.
- (3) But SCW may not disclose to any person details of any undertaking which relates solely to the registered person's physical or mental health.
- (4) SCW may by rules make provision about undertakings agreed with a fitness to practise panel under this section; and the rules may, in particular, make provision about the matters specified in section 129(2) (procedure to be followed for agreement of undertakings etc.).

Status: *This is the original version (as it was originally enacted).*

- (5) Rules under subsection (4) may include provision in respect of undertakings agreed, confirmed or varied on a review under section 138(4), 152(5) or (6), 153(4), 154(4) or 155(7).