



Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

PART 6

SOCIAL CARE WORKERS: FITNESS TO PRACTISE

CHAPTER 5

REVIEW PROCEEDINGS

155 Review of indefinite suspension orders

- (1) This section applies where a fitness to practise panel has made an indefinite suspension order.
- (2) A fitness to practise panel must review the indefinite suspension order on the application of the registered person.
- (3) The registered person may not make an application for review—
 - (a) before the expiry of the period of 2 years beginning with the date on which the order was made, or
 - (b) within the period of 2 years beginning with the date of a previous application for review.
- (4) The following subsections specify the possible disposals which may be made by a fitness to practise panel which has completed a review under subsection (2).
- (5) If the registered person has applied under section 92 for the removal of the entry relating to the person from the register by agreement, the panel may make an order for the removal of that entry.
- (6) If the panel determines that the registered person's fitness to practise is no longer impaired, the panel—

Status: This is the original version (as it was originally enacted).

- (a) must revoke the indefinite suspension order, and
 - (b) may do either or both of the following—
 - (i) give advice to the person on any matter related to the case;
 - (ii) give the person a warning in respect of future conduct or performance.
- (7) The panel may agree undertakings with the registered person—
- (a) if the person admits that his or her fitness to practise is impaired, or
 - (b) if the panel determines that the person’s fitness to practise is impaired.
- (8) If the panel determines that the registered person’s fitness to practise is impaired (and undertakings have not been agreed), the panel may dispose of the case as described in subsection (9) or (10).
- (9) The panel may confirm the indefinite suspension order.
- (10) The panel may revoke the indefinite suspension order and make a decision to—
- (a) take no further action in respect of the registered person,
 - (b) give a warning to the person in respect of future conduct or performance, or
 - (c) make a conditional registration order.