



Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

PART 6

SOCIAL CARE WORKERS: FITNESS TO PRACTISE

CHAPTER 2

PRELIMINARY PROCEDURES

Review

132 Cancellation of referral to fitness to practise panel

- (1) This section applies where a matter has been referred to a fitness to practise panel under section 121 or 126(2) or to an interim orders panel under section 118(2)(b), 119(2) or 125(2) and—
 - (a) SCW no longer thinks that there is a realistic prospect that the panel will find that the registered person's fitness to practise is impaired, or
 - (b) SCW otherwise thinks that it is no longer appropriate for the registered person to be subject to fitness to practise proceedings under this Part.
- (2) SCW may—
 - (a) determine that the fitness to practise panel or interim orders panel may not commence or continue proceedings in respect of the matter, or
 - (b) determine that the fitness to practise proceedings may only commence or continue in respect of such particulars of the matter as SCW may specify.
- (3) Where SCW makes a determination under subsection (2) it may refer the matter, or specified particulars of the matter, for investigation under section 125.
- (4) SCW must give notice of a determination under subsection (2) to—

Status: This is the original version (as it was originally enacted).

- (a) the registered person to whom the matter relates,
 - (b) where an allegation has been made, the person who made the allegation, and
 - (c) any person to whom notice of the referral was given under section 123(2)(c), (d) or (e) or 127(3).
- (5) The notice must include the reasons for the determination.
- (6) SCW must by rules make provision about the procedure for exercising its functions under this section; in particular, provision about—
- (a) the procedure to be followed in making a determination under subsection (2), and
 - (b) the content and timing of a notice under subsection (4).