

SCHEDULE 2

Fitness to practise proceedings

Modifications etc. (not altering text)

- C1** Sch. 2 applied (with modifications) (2.12.2019) by [The Children and Social Work Act 2017 \(Transitional and Savings Provisions\) \(Social Workers\) Regulations 2019 \(S.I. 2019/1140\)](#), regs. 1, **16**; [S.I. 2019/1436](#), reg. 2(b)

PART 4

Review of orders

Review of interim orders

14.—(1) The regulator must review any interim order made under paragraphs 8(2) or 11(1)(a) (including any such order as has been extended or varied)—

- (a) within the period of six months beginning on the date on which the order was made,
- (b) thereafter, before the end of the period of [^{F1}six] months, beginning on the date of the decision of the immediately preceding review, for so long as the order continues in force, and
- (c) where new evidence relevant to the order has become available after the making of the order, or the last review.

(2) The regulator may apply to the High Court to extend, or further extend, the period for which an interim order has effect.

(3) On an application under sub-paragraph (2) the High Court may—

- (a) substitute a different period for which the interim order has effect, or
- (b) confirm the order.

(4) Where the High Court substitutes a different period for which the interim order has effect the regulator must notify any person who was notified of the making of the interim order.

(5) Subject to sub-paragraph (6), on a review under sub-paragraph (1) the regulator may—

- (a) revoke the order,
- (b) revoke or vary any condition imposed by the order,
- (c) confirm the order,
- (d) replace an interim conditions of practice order with an interim suspension order (or vice versa) having effect for the same period, provided it is satisfied that to do so is necessary for the protection of the public or in the best interests of the social worker,

(6) The regulator may not take any of the steps in sub-paragraph (5) unless it has first informed the social worker of the proposed step and given them the opportunity—

- (a) to make written submissions, or
- (b) to attend before it and be represented, in order to make oral submissions.

(7) Where sub-paragraph (5) applies, the regulator must inform the following of the terms of the order and the reasons for it—

- (a) the social worker,

Changes to legislation: There are currently no known outstanding effects for the The Social Workers Regulations 2018, Paragraph 14. (See end of Document for details)

- (b) any person by whom the social worker is employed, or with whom they have an arrangement, to provide services as a social worker or in relation to social work (where known),
- (c) any other regulatory body with which the social worker is registered (where known), and
- (d) where the fitness to practise proceedings were instigated following a complaint against the social worker, the complainant.

[^{F2}(8) Where sub-paragraph (5) applies, the action taken on a review under sub-paragraph (1) takes effect from the date on which the regulator completes the review notwithstanding any appeal against that decision.]

Textual Amendments

- F1** Word in Sch. 2 para. 14(1)(b) substituted (16.12.2022) by The Social Workers (Amendment and Transitional Provision) Regulations 2022 (S.I. 2022/1216), reg. 1(2), **Sch. para. 10(2)** (with reg. 5)
- F2** Sch. 2 para. 14(8) inserted (16.12.2022) by The Social Workers (Amendment and Transitional Provision) Regulations 2022 (S.I. 2022/1216), reg. 1(2), **Sch. para. 10(3)**

Changes to legislation:

There are currently no known outstanding effects for the The Social Workers Regulations 2018, Paragraph 14.