

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 2

Investigation

7.—(1) Where the case examiners determine that there is a realistic prospect that adjudicators would determine that the social worker's fitness to practise is impaired, the case examiners must notify the social worker of that determination and the reasons for it.

(2) The case examiners must refer a case falling within sub-paragraph (1), or a case to which paragraph 1(2) applies, to a fitness to practise hearing if, in their opinion, it would be in the public interest to do so.

(3) Where the case examiners do not refer the case to a fitness to practise hearing under paragraph (2) the case examiners may notify the social worker of the terms on which, and the time within which, the social worker may elect to have the case disposed of without a hearing in accordance with paragraph 9.

(4) At any time before the case examiners determine that a case is to proceed to a fitness to practise hearing they may require the investigators to obtain, and supply to them, further information or submissions relevant to the investigation, provided that paragraph 5(2) and (3) applies to the provision of information under this sub-paragraph.

Changes to legislation:

There are currently no known outstanding effects for the The Social Workers Regulations 2018, Paragraph 7.