



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

138 Disposals by fitness to practise panel: finding of impairment

- (1) This section applies where a fitness to practise panel has determined that a registered person's fitness to practise is impaired.
- (2) The panel must dispose of the matter in one of the ways mentioned in subsections (3) to (9).
- (3) The panel may make an order under section 135(2) for removal of the registered person's entry from the register by agreement.
- (4) The panel may agree undertakings with the registered person; in which case, section 136(2) and (3) apply in respect of such undertakings.
- (5) The panel may decide to take no further action in respect of the registered person.
- (6) The panel may give a warning to the registered person in respect of future conduct or performance.
- (7) The panel may make a conditional registration order, which is an order imposing conditions on the person's registration.
- (8) The panel may make a suspension order, which is an order suspending the registered person's registration.

Changes to legislation: There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Section 138. (See end of Document for details)

- (9) The panel may make a removal order, which is an order for the removal of the entry relating to the registered person in the register.
- (10) But the panel may not make a removal order if the only ground on which it has determined that the registered person's fitness to practise is impaired is adverse physical or mental health.

Commencement Information

II S. 138 in force at 3.4.2017 by S.I. 2017/309, art. 2(e) (with arts. 3, 4, Sch.)

Changes to legislation:

There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Section 138.