

SCHEDULE

AMENDMENT OF SCHEDULE 2 TO THE 2018 REGULATIONS

- 3.—(1) Paragraph 8 is amended as follows.
- (2) For sub-paragraph (1) substitute—
- “(1) If, at any stage, an investigator or the case examiners are of the opinion that an interim order may be necessary for the protection of the public or in the best interests of the social worker, they must notify the regulator of their opinion and the reasons for that opinion.
- (1A) Where the regulator has been notified in accordance with sub-paragraph (1), the regulator may appoint two or more adjudicators to consider whether to make an interim order in accordance with this paragraph.”.
- (3) For sub-paragraph (3) substitute—
- “(3) The adjudicators may not make an interim order unless the conditions in sub-paragraphs (3A) and (3B) have been complied with.
- (3A) The condition in this sub-paragraph is that the regulator has first informed the social worker—
- (a) that an interim order may be made, and
- (b) of the reasons why it considers that an interim order may be necessary for the protection of the public or in the best interests of the social worker.
- (3B) The condition in this sub-paragraph is that the regulator has given the social worker the opportunity—
- (a) to make written submissions, or
- (b) to attend before the adjudicators and be represented, in order to make oral submissions.
- (3C) Where the adjudicators make an interim order under sub-paragraph (2), they must inform the regulator of the making of that order and its terms.”.
- (4) In sub-paragraph (4)—
- (a) for the words before paragraph (a) substitute “Where the regulator has been informed in accordance with sub-paragraph (3A), the regulator must—”;
- (b) in paragraph (a)—
- (i) before “order” insert “interim”;
- (ii) omit sub-paragraph (i).
- (5) After sub-paragraph (5) insert—
- “(5A) An interim order made under sub-paragraph (2) takes effect from the date on which it is made notwithstanding any appeal against the order.”.
- (6) In sub-paragraph (6)—
- (a) in paragraph (a), after “determine” in the first place in which it occurs, insert “, in the case in respect of which the order was made,”;
- (b) in paragraph (b), after “determine” insert “, in the case in respect of which the order was made,”;
- (c) in paragraph (c) for “a case” substitute “the case in respect of which the order was made”;
- (d) in paragraph (d), after “social worker” insert “in the case in respect of which the interim order was made,”.