



Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

PART 4

SOCIAL CARE WORKERS

Appeals to a registration appeals panel

101 Appeals against decisions of the registrar

- (1) A person may appeal to a registration appeals panel against a decision by the registrar—
- (a) under section 83 not to grant the person's application for registration;
 - (b) under section 86 not to grant the person's application for renewal of his or her registration;
 - (c) to remove an entry in respect of the person from the register under section 94;
 - (d) under section 96 not to grant the person's application for restoration of his or her entry to the register.
- (2) But a person may not appeal against a decision mentioned in subsection (1)(a), (b) or (d) if the decision was taken by reason only that the person failed to—
- (a) pay any fee required by SCW in connection with the application,
 - (b) make the application in the form and manner required by SCW, or
 - (c) provide documents or information in support of the application as required by the registrar.

102 Appeals to the registration appeals panel: procedure

- (1) An appeal under section 101 must be made by giving notice of appeal to the registrar.
- (2) The notice must be given before the end of the period of 28 days beginning with the relevant day.

Status: This is the original version (as it was originally enacted).

- (3) But the registrar may allow an appeal to be made after the end of the period mentioned in subsection (2) if satisfied that there are good reasons for a failure to give notice before the end of that period (and for any delay in giving notice out of time).
- (4) In subsection (2) “relevant day” means—
- (a) in the case of a decision mentioned in section 101(1)(a) or (b), the day on which notice of the decision is given under section 89,
 - (b) in the case of a decision mentioned in section 101(1)(c), the day on which notice of the decision is given under section 94, and
 - (c) in the case of a decision mentioned in section 101(1)(d), the day on which notice of the decision is given under section 96.

103 Decisions on appeal to the registration appeals panel

On an appeal under section 101 a registration appeals panel may—

- (a) confirm the registrar’s decision,
- (b) substitute for the decision appealed against another decision of a kind that the registrar could have made, or
- (c) remit the case to the registrar to dispose of in accordance with the directions of the panel.