



# 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

#### **137 Disposals by fitness to practise panel: finding of no impairment**

- (1) This section applies where a fitness to practise panel has determined that a registered person's fitness to practise is not impaired.
- (2) The panel may decide to take no further action in respect of that person.
- (3) Or, the panel may do either or both of the following things—
  - (a) dispose of the matter in the way specified in subsection (4);
  - (b) dispose of the matter in the way specified in subsection (5).
- (4) The panel may give advice on any matter related to the allegation under section 118(1) (a) or the information which gave rise to the proceedings under section 118(1)(b) (as the case may be)—
  - (a) to the registered person, and
  - (b) to any other person involved in the proceedings.
- (5) The panel may give a warning to the registered person in respect of future conduct or performance.
- (6) SCW may by rules make provision about the procedure for giving a warning under this section.

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*Status: This is the original version (as it was originally enacted).*

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- (7) Rules under subsection (6) may, in particular, make provision—
- (a) requiring notice of a proposed warning to be given to the registered person, and
  - (b) allowing the registered person to make representations in respect of the proposed warning.
- (8) Rules under subsection (6) may also include provision in respect of a warning given under section 138(6) or on a review under section 152(3)(b)(ii), 153(3)(b)(ii), 154(3)(b)(ii) or 155(6)(b)(ii).