



# Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

## PART 6

### SOCIAL CARE WORKERS: FITNESS TO PRACTISE

#### CHAPTER 4

##### INTERIM ORDERS AND REVIEW OF INTERIM ORDERS

#### **146 Reviews of interim orders: timing**

- (1) A panel must first review an interim order made under section 144 within six months beginning with the date on which the order was made.
- (2) Where an interim order made under section 144 has been varied or replaced by the tribunal on an appeal under section 145, the reference in subsection (1) to the date on which the order was made is to be read as a reference to the date of the tribunal's decision.
- (3) Subsection (4) sets out the timing of the first review of an interim order following its extension or further extension by the tribunal (see section 148), and "the tribunal's decision" means the decision to extend or further extend the order (as the case may be).
- (4) A panel must review the interim order—
  - (a) if no review of the order had taken place before the tribunal's decision, within six months beginning with the date of the tribunal's decision, or
  - (b) if a review of the order had taken place before the tribunal's decision, within three months beginning with that date.
- (5) Subsection (6) sets out the timing of the first review of a replacement interim conditional registration order or interim suspension order made on a review ("the replacement order") (see section 147(1)(c) and (d)).

- (6) A panel must review the replacement order—
  - (a) if no review of the order which has been replaced had taken place before the review which led to the replacement order being made, within six months beginning with the date on which the replacement order was made, or
  - (b) if a review of the order which has been replaced had taken place before the review which led to the replacement order being made, within three months beginning with the date on which the replacement order was made.
- (7) After the first review of an interim order under subsection (1), (4) or (6), a panel must review the order (for so long as it is in effect)—
  - (a) within six months beginning with the date of the decision of the most recent review, or
  - (b) if after the end of the period of three months beginning with that date, the registered person requests an earlier review, as soon as practicable.
- (8) A panel may review an interim order at any time if new evidence becomes available which is relevant to the case.
- (9) In subsections (7) and (8) a reference to an interim order includes a reference to—
  - (a) an interim order as extended or further extended by the tribunal,
  - (b) an interim order as varied on a review (see section 147(1)(b)), and
  - (c) a replacement interim conditional registration order or interim suspension order made on a review.