



Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

PART 4

SOCIAL CARE WORKERS

Appeals to the tribunal

105 Other appeals: decisions made under the General Systems Regulations

- (1) This section applies where SCW has made a decision—
 - (a) under regulation [^{F1}13(2)] of the General Systems Regulations as to whether a person is providing services as a social worker in the United Kingdom [^{F2}or as a social care manager in the United Kingdom] on a temporary and occasional basis, ^{F3}...
 - (b) under Part 3 of those Regulations in respect of an aptitude test, or period of adaptation, in connection with a person's becoming permitted, by virtue of that Part, to have access to, and to pursue, the profession of social worker in the United Kingdom [^{F4}or the profession of social care manager in the United Kingdom][^{F5}, or]
 - [^{F6}(c) under regulation 67 of those Regulations to send an alert about a person.]
- (2) The person to whom the decision relates may appeal against it to the tribunal.
- (3) An appeal under subsection (2) must be brought before the end of the period of 28 days beginning with the date the person was notified by SCW of the decision.
- (4) But the tribunal may allow an appeal to be made to it after the end of the period mentioned in subsection (3) if it is satisfied that there is a good reason for the failure to appeal before the end of the period (and for any delay in applying for permission to appeal out of time).
- (5) On an appeal under this section, the tribunal may—

Status: Point in time view as at 03/04/2017. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Section 105. (See end of Document for details)

- (a) confirm the decision,
- (b) substitute for the decision appealed against another decision that SCW could have made [^{F7}or, in the case of an appeal from a decision falling within subsection (1)(c), direct that the alert be withdrawn or amended], or
- (c) remit the case to SCW to dispose of in accordance with the directions of the tribunal.

Textual Amendments

- F1** Word in s. 105(1)(a) substituted (18.11.2016) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2016 \(S.I. 2016/1030\)](#), regs. 1, **138(2)(a)** (with reg. 155)
- F2** Words in s. 105(1)(a) inserted (18.11.2016) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2016 \(S.I. 2016/1030\)](#), regs. 1, **138(2)(b)** (with reg. 155)
- F3** Word in s. 105(1)(a) omitted (18.11.2016) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2016 \(S.I. 2016/1030\)](#), regs. 1, **138(2)(c)** (with reg. 155)
- F4** Words in s. 105(1)(b) inserted (18.11.2016) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2016 \(S.I. 2016/1030\)](#), regs. 1, **138(3)(a)** (with reg. 155)
- F5** Word in s. 105(1)(b) inserted (18.11.2016) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2016 \(S.I. 2016/1030\)](#), regs. 1, **138(3)(b)** (with reg. 155)
- F6** S. 105(1)(c) inserted (18.11.2016) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2016 \(S.I. 2016/1030\)](#), regs. 1, **138(4)** (with reg. 155)
- F7** Words in s. 105(5)(b) inserted (18.11.2016) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2016 \(S.I. 2016/1030\)](#), regs. 1, **138(5)** (with reg. 155)

Commencement Information

- I1** S. 105 in force at 3.4.2017 by [S.I. 2017/309](#), **art. 2(c)** (with arts. 3, 4, Sch.)

Status:

Point in time view as at 03/04/2017. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Section 105.