

First-tier Tribunal Care Standards

The Tribunal Procedure (First-tier Tribunal) (Health, Education and Social Care) Rules 2008

NCN: [2023] UKFTT 337 (HESC)

[2023] 4834.ISO-W

Heard by Video Link on 20 March 2023

BEFORE

**Mr H Khan (Tribunal Judge)
Mrs S Prewett (Specialist Member)
Mr R Graham (Specialist Member)**

BETWEEN:

Social Care Wales

Applicant

-v-

Paige Louise James

Respondent

DECISION

The Appeal

1. Social Care Wales ("the Applicant") applies under section 148 of the Regulation and Inspection of Social Care (Wales) Act 2016 ("the Act"), to the Tribunal, for an Interim Order Suspension made against Ms Paige Louise James ("the Respondent"), on 20 October 2021 to be extended until 19 April 2024

The Hearing

2. The hearing took place on 20 March 2023. The hearing took place by video.

Attendance

3. The Applicant was represented by Ms R Phillips. Ms Watkins also dialled in.
4. The Respondent did not attend. The Respondent's legal representative had written to the Tribunal to confirm that the Respondent would not be attending due to medical reasons.
5. We considered rule 27 of the Tribunal Procedure (First-tier Tribunal) (Health, Education and Social Care Chamber) Rules 2008 (as amended)

("the 2008 Rules"). We concluded that we would proceed in the Respondent's absence.

6. We were satisfied that the Respondent was aware of the hearing (notifications sent on 14/03/2023) and that it was in the interests of justice to proceed with the hearing. In fairness, the Respondent does not dispute receiving any notices and has provided an explanation for her non-attendance.
7. The Respondent is legally represented, and the parties had provided an agreed order confirming their agreement to extend the Interim Order Suspension.
8. The agreed order dated 16 and 17 March 2023 (attached) records the following

"Upon Social Care Wales applying for an extension of an Interim Order Suspension in relation to Ms Paige Louise James under section 148 of the Regulation and Inspection of Social Care (Wales) Act 2016.

And upon the parties agreeing that the grounds for the imposition of the Interim Order Suspension on 20 October 2021 and reviews on 20 April 2022 and 11 October 2022 were made out and remain valid, subject to the stipulation that the Respondent does not accept or agree with any allegations that are the subject of the current investigation.

And upon the parties agreeing to the extension of the Interim Order Suspension in the terms set out below."

9. The Tribunal considering that the grounds for the imposition of the Interim Order Suspension were made out and remain valid and that it was both necessary and proportionate to extend the Interim Order Suspension imposed on 20 October 2021 until 19 April 2024.

DECISION

1. The Interim Order Suspension imposed by an Interim Orders Panel of Social Care Wales on 20 October 2021 shall be extended until 19 April 2024.
2. The interim order, so extended, will be subject to review in accordance with section 146 of the Regulation and Inspection of Social Care (Wales) Act 2016.
3. There shall be no order as to costs

Judge H Khan
Lead Judge

First-tier Tribunal (Health Education and Social Care)

Date Issued: 21 March 2023