

Case Examiner Decision
Jeremy Hunt – SW30688
FTPS-23750

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The role of the case examiners

The case examiners perform a filtering function in the fitness to practise process, and their primary role is to determine whether the case ought to be considered by adjudicators at a formal hearing. The wider purpose of the fitness to practise process is not to discipline the social worker for past conduct, but rather to consider whether the social worker's current fitness to practise might be impaired because of the issues highlighted. In reaching their decisions, case examiners are mindful that Social Work England's primary objective is to protect the public.

Case examiners apply the 'realistic prospect' test. As part of their role, the case examiners will consider whether there is a realistic prospect:

- the facts alleged could be found proven by adjudicators
- adjudicators could find that one of the statutory grounds for impairment is engaged
- adjudicators could find the social worker's fitness to practise is currently impaired

If the case examiners find a realistic prospect of impairment, they consider whether there is a public interest in referring the case to a hearing. If there is no public interest in a hearing, the case examiners can propose an outcome to the social worker. We call this accepted disposal and a case can only be resolved in this way if the social worker agrees with the case examiners' proposal.

Case examiners review cases on the papers only. The case examiners are limited, in that, they are unable to hear and test live evidence, and therefore they are unable to make findings of fact.

Decision summary

Decision summary

Preliminary outcome	26 September 2025
	Accepted disposal proposed - removal order
Final outcome	05 November 2025
	Accepted disposal agreed – removal order

Executive summary

The case examiners have reached the following conclusions:

- There is a realistic prospect of regulatory concerns 1(1.1, 1.2, 1.3), 2 (2.1), 3, 4, and 5 (5.1) being found proven by the adjudicators [REDACTED]
[REDACTED]
2. There is a realistic prospect of regulatory concerns 1(1.1, 1.2, 1.3), 2 (2.1), 3, 4, and 5 (5.1) being found to amount to the statutory grounds of misconduct.
3. For regulatory concerns 1(1.1, 1.2, 1.3), 2 (2.1), 3, 4, and 5 (5.1), there is a realistic prospect of adjudicators determining that the social worker's fitness to practise is currently impaired.

The case examiners did not consider it to be in the public interest for the matter to be referred to a final hearing and determined that the case could be concluded by way of accepted disposal.

The social worker has subsequently agreed to the terms of the proposed accepted disposal.

The case examiners direct that this case can now be resolved with a removal order.

The case examiners have considered all the documents made available within the evidence bundle. Key evidence is referred to throughout their decision and the case examiners' full reasoning is set out below.

Anonymity and redaction

Elements of this decision have been marked for redaction in line with our Fitness to Practise Publications Policy. Text in [REDACTED] will be redacted only from the published copy of the decision and will therefore be shared with the complainant in their copy. Text in [REDACTED] will be redacted from both the complainant's and the published copy of the decision.

The complaint and our regulatory concerns

The initial complaint

The complainant	The complaint was raised by the social worker's former employee [REDACTED]
Date the complaint was received	September 2023
Complaint summary	The social worker was a team manager, when an investigation was raised by their employer with respect to the management of Service User A (SU A). SU A had a learning disability and complex needs. The concerns arose following a formal complaint by the mother of SU A.

Regulatory concerns / Regulatory concerns and concerns recommended for closure

Regulatory concerns are clearly identified issues that are a concern to the regulator. The regulatory concerns for this case are as follows:

Whilst registered as a social worker in or around June 2022 to March 2023 you:

1. Failed to undertake work required of you in that you:
 - 1.1. Did not complete a new Care Act assessment for service user A.
 - 1.2. Did not ensure that an updated Mental Capacity assessment was completed for service user A.
 - 1.3. Did not ensure that contact arrangements were made between service user A and their mother.
2. Acted outside the area of your responsibility in that you:
 - 2.1. Signed off costs and/or expenses for service user A.

3. Misled service user A's mother in relation to service user A's placement.
4. Your actions at regulatory concern 3 were dishonest.
5. Failed to keep accurate and/or up to date records in that you:
 - 5.1. Did not upload emails from professionals and/or service user A's mother to service user A's case file.

Grounds of impairment:

The matters outlined at regulatory concerns 1, 2.1, 3, 4 and 5 amount to the statutory ground of misconduct.

By reason of your misconduct your fitness to practice is impaired.

Preliminary issues

Investigation		
Are the case examiners satisfied that the social worker has been notified of the grounds for investigation?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
Are the case examiners satisfied that the social worker has had reasonable opportunity to make written representations to the investigators?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
Are the case examiners satisfied that they have all relevant evidence available to them, or that adequate attempts have been made to obtain evidence that is not available?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
Are the case examiners satisfied that it was not proportionate or necessary to offer the complainant the opportunity to provide final written representations; or that they were provided a reasonable opportunity to do so where required.	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>

Requests for further information or submissions, or any other preliminary issues that have arisen

The realistic prospect test

Fitness to practise history

The case examiners have been informed that there is no previous fitness to practise history.

Decision summary

Is there a realistic prospect of the adjudicators finding the social worker's fitness to practise is impaired?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

The case examiners have determined that there is a realistic prospect of regulatory concerns 1(1.1, 1.2, 1.3), 2 (2.1), 3, 4, and 5 (5.1) being found proven, that those concerns could amount to the statutory ground of misconduct, and that the social worker's fitness to practise could be found impaired.

Reasoning

Facts

Whilst registered as a social worker in or around June 2022 to March 2023 you:

1. Failed to undertake work required of you in that you:
 - 1.1. Did not complete a new Care Act assessment for service user A.

The case examiners have reviewed a comprehensive range of evidence including the contents of an investigation, emails, relevant Care Act assessments and testimony from the social worker. The local authority allege that an updated Care Act assessment was required for SU A, with the social worker having been assigned SU A's case for 8 months. The case examiners have reviewed two Care Act assessments. The first one was undertaken in 2020 by another social worker. The second one was completed in July 2022, signed off by the social worker subject to this investigation. It appears that both assessments were identical, including information about SU A's

age and length of time they had been residing at their placement. This would have meant that the second Care Act assessment, completed two years later, would have been factually inaccurate.

In their submissions, the social worker states that their social care team allowed them to use information contained in previous assessments. In completion of this Care Act assessment, they said they visited SU A at home and found that apart from their age, nothing had changed, therefore using the information from previous assessments was the quickest way to get a new support plan in place. The case examiners consider this mitigation to be of limited weight, as the updated Care Act assessment contained no new information at all, and had inaccurate data.

The case examiners accept that while the social worker may have visited SU A for the purposes of completing a new Care Act assessment, a new updated document did not appear to have been completed.

The case examiners conclude **a realistic prospect of the adjudicators finding the facts proven for regulatory concern 1.1.**

1.2. Did not ensure that an updated mental capacity assessment was completed for service user A.

The case examiners have reviewed a comprehensive range of evidence including the contents of an investigation, emails, relevant care documentation and testimony from the social worker. The case examiners have found clear documentation which states that a senior manager had requested that a mental capacity assessment be updated and completed with respect to SU A's capacity to consent to current care and accommodation provision. The local authority has been unable to provide any updated mental capacity assessment, indicating that this assessment may not have been completed.

Submissions by the social worker to their employer investigation state that they had no reason to believe SU A lacked capacity in relation to seeing their mother. The case examiners consider that there is the potential for the social worker to have misinterpreted the management request, as the direction for capacity was 'decision-specific' and did not specifically request an assessment of capacity in relation to this matter.

In their submissions to the regulator, the social worker accepts this regulatory concern. They state that having read a prior mental capacity assessment they compared this to their own assessment of SU A's mental capacity. In doing so, they concluded that it was not necessary to complete another assessment, so uploading the previous capacity assessment to SU A's records. They then decided that in their

role as a manager, they would just monitor SU A's case until there was a need for a mental capacity assessment and then allocate this to a new social worker to complete.

The case examiners are unable to locate any formalised assessment in relation to the specific issues of SU A's capacity to consent to current care and accommodation provision. Although the social worker said that they completed their own assessment of SU A's mental capacity, this does not appear to have been documented in any way.

The case examiners conclude **a realistic prospect of the adjudicators finding the facts proven for regulatory concern 1.2.**

1.3. Did not ensure that contact arrangements were made between service user A and their mother.

The case examiners have reviewed a comprehensive range of evidence including the contents of an investigation, emails, concerns expressed from the mother of SU A, relevant care documentation and testimony from the social worker. The case examiners have concluded that there are multiple examples from the evidence bundle where the social worker is seen to restrict contact between SU A and their mother; this is both directly and indirectly. There is additional evidence to suggest that at least indirectly, the social worker did not actively facilitate phone contact between SU A and their mother, so allowing the Shared Lives Carer to dictate contact arrangements. It appears that the social worker allowed restricted access to occur without completing a Best Interests assessment or formalised Mental Capacity assessment on the specific issue of SU A's understanding around family contact. This was despite the mother of SU A being a court appointed deputy for their daughter's financial and health / welfare arrangements.

While there is evidence to suggest that the social worker involved a learning disability nurse and the day service in facilitating contact, such mitigation appears to be limited as it appears from emails between the mother and the social worker, that valuable family contact was unable to take place over a prolonged period of time. In the absence of relevant statutory assessments, this apparent restriction of contact appears to have been beyond the powers (*ultra vires*) of the social worker. The social worker then advises the mother to resort to the Court of Protection over this issue.

In their submissions to the regulator, the social worker does not make specific comment on this matter. However, evidence from the employer investigation suggests that the social worker accepted the views of the Shared Lives Carer and SU A, that they did not want contact with their mother. This is despite the possibility that SU A may not have had the capacity to make such a decision, or that they could have

been subject to potential influence or coercion. While this may have been a professional opinion, it was not backed up by any formalised assessment of Mental Capacity or Best Interests.

The case examiners conclude **a realistic prospect of the adjudicators finding the facts proven for regulatory concern 1.3.**

With respect to the stem of regulatory concern 1, [You failed to undertake work required of you], the case examiners consider that any alleged failure of relevant care assessments, under legal statute, which included an alleged of restriction of contact rights, would constitute a failure to undertake relevant statutory work by a social worker. The case examiners therefore consider that the adjudicators would conclude **a realistic prospect of regulatory concern 1 being engaged.**

2. Acted outside the area of your responsibility in that you:

2.1. Signed off costs and/or expenses for service user A.

There is evidence from the employer investigation that the social worker signed off on costs relating to SU A's placement with the Shared Lives Carer. There are additional emails showing evidence of those costs, amounting to multiple thousands of pounds.

This is further supported by emails between SU A and the newly allocated social worker who accepts that the agreement regarding rent was never shared with SU A's mother, *'for some reason this was never shared with you and instead Jeremy signed it, even though you are appointee and Jeremy signing it is void'* [sic].

In the employer investigation, the social worker apologises for their alleged actions, saying that they had got this wrong, having done it due to the urgency of the situation. In their final submissions from the social worker to the regulator, they do not accept this regulatory concern. They state that signing off the costs was part of the support plan and that they could not contact SU A's mother.

There appears to have be clear evidence that the social worker approved the relevant costs. The question of whether the social worker acted outside their area of responsibility rests with the issue of whether they should have consulted with SU A's mother, in their capacity of deputy appointee for SU A's financial affairs. The case examiners consider that it would have been the social worker's responsibility to do this. This is further borne out by evidence of financial consultation between the newly allocated social worker and SU A's mother.

Given there is evidence from the newly allocated social worker's email to suggest that no consultation ever took place, the case examiners are led to conclude **a realistic prospect of the adjudicators finding the facts proven for regulatory concerns 2 and 2.1.**

3. Misled service user A's mother in relation to service user A's placement.

In contextualising whether there was any evidence of any misleading behaviour, the case examiners initially refer to email evidence from SU A's mother dated 07 October 2022, sent to the social worker. This outlines a clear set of future objectives, most notably point 4) which states: "*You [the social worker] will contact [REDACTED] to see if there are any places still available at [REDACTED]*". This appears to be agreed in a response back from the social worker to SU A's mother, however they request a rephrase of point 4) stating, "*You [SU A's mother] will contact [REDACTED] to see if there are any places still available at [REDACTED]*". There are then a series of email updates from SU A's mother, which state that they have been in touch with [REDACTED] and that there may be a vacancy at [REDACTED] soon. Further updates then state that a vacancy wouldn't be before Christmas as there were others on the waiting list.

There are a parallel set of emails from the social worker to the manager of [REDACTED] dated from 15 November 2022. The first email requests that the manager of [REDACTED] not allow their colleagues to assess SU A without coming to the social worker first. Further emails from the social worker confirm that SU A is happy in their existing placement; they ask the manager, '*But can you keep [SU A's] mum happy*'. The manager of [REDACTED] responds by saying that they can try and appease mum, stating that '*at best all I could offer is a place on the waiting list, do you think that would suffice?*'. The social worker responds by saying '*Yes – that would be great! Also, can you say to mum that you have not spoken with me yet*'. The manager agrees then sends an email dated 18 November 2022 stating '*[SU A's mum] has phoned me this morning. I advised that there no vacancies at present and there is a waiting list.....and unfortunately [SU A] is at the bottom of that list now.....didn't mention you had already spoken to me*'. Further emails from the manager ask the social worker, '*Do you want me to just keep on delaying?*'.

Evidence from the local authority investigation concludes that this placement matter lasted almost four months, so delaying SU A's access to future placements.

Final submissions from the social worker to the regulator appear to accept this regulatory concern. They state that cannot explain why they did not let SU A's mother know about this.

The case examiners have not seen any evidence in care or case note documentation to enable them to understand why the social worker may have delayed the actioning of a placement. It appears that they may have made an executive decision in the absence of any mental capacity or best interests' assessment on placement matters. While the social worker may have considered that they were acting in SU A's best interests, there is no formalised assessment or case notes to rationalise this. Furthermore, email evidence suggests that there may have been direct collusion between the social worker and the placement provider to actively delay a potential placement for SU A, without the knowledge of SU A's mother. This could be considered as being intended to mislead SU A's mother.

The case examiners therefore conclude **a realistic prospect of the adjudicators finding the facts proven for regulatory concern 3.**

4. Your actions at regulatory concern 3 were dishonest.

In considering regulatory concern 3, the case examiners have applied the test for dishonesty, which consists of two parts – the subjective test and the objective test.

The subjective test

The subjective test requires the case examiners to assess the evidence to ascertain the social worker's actual knowledge or belief as to the facts. The question is not whether the social worker's beliefs are reasonable, but whether they were genuinely held at that time.

The social worker has provided submissions to the regulator in respect of regulatory concern 3. The social worker has also admitted that the conduct in regulatory concern 3 was dishonest. As to the social worker's knowledge or belief as to the facts, they have provided limited additional commentary for the case examiners to consider. They only state that they have no explanation available as to why they did not include SU A's mother in their actions.

When reviewing the content of the emails between the social worker, SU A's mother and the placement provider, it appears clear to the case examiners that:

- 1) The social worker may have been actively misleading SU A's mother with regards to the availability of a placement.
- 2) The social worker appeared to have been actively subverting the availability of a placement by collusion with the placement manager.

- 3) The social worker appeared to have been encouraging the placement manager to deceive SU A's mother by advising them to say that there had been no contact between them.
- 4) The social worker may have delegated placement liaison to SU A's mother, rather than themselves, to subvert and delay the placement process. This was because the social worker believed that SU A did not want to move.

Given the available evidence, the case examiners consider that from a subjective point of view, the social worker took active steps to provide inaccurate information to SU A's mother about potential placement availability.

The objective test:

The objective test requires the case examiners to consider whether the social worker's alleged conduct may be considered dishonest by the objective standards of ordinary decent people. There is no requirement for the social worker to appreciate that their conduct is, by the objective standards of ordinary decent people, dishonest.

The case examiners are satisfied that ordinary decent people would consider it dishonest for a social worker to take active steps to provide inaccurate information to a direct relative and an appointed deputy who had a legal right to be involved and consulted in aspects of their vulnerable daughter's health and welfare.

The case examiners consider that ordinary decent people would consider the conduct alleged in this case to be dishonest, given all the relevant emails in this case were very detailed, showing the fundamental basis and nature of the social worker's alleged actions and motivations.

Considering the above, **there is a realistic prospect of the adjudicators finding the facts proven for regulatory concern 4.**

5. Failed to keep accurate and/or up to date records in that you:

5.1. Did not upload emails from professionals and/or service user A's mother to service user A's case file.

There appears to be clear evidence from the employer case investigation that the social worker did not adequately record the nature of the communications between SU A's mother and the social worker, or the emails between the social worker and the potential placement provider. These do not appear to have been uploaded to the local authority care records system.

Submissions from the social worker to the regulator accept this regulatory concern. They accept that emails from some professionals and SU A's mother were not uploaded on the system. They say this was caused by the pressure of their workload.

It has been established that there would be a realistic prospect of a finding of fact for regulatory concerns 1.1 and 1.2. In addition to the emails, the case examiners consider that the absence of a mental capacity assessment and an accurately updated Care Act assessment to be additional evidence supporting the assertion that the social worker failed to keep accurate and / or up to date records.

The case examiners conclude **a realistic prospect of the adjudicators finding the facts proven for regulatory concern 5 and 5.1.**

Grounds

Summary of facts with a realistic prospect of being found proven: 1(1.1, 1.2, 1.3), 2 (2.1), 3, 4, and 5 (5.1)

The matters outlined at regulatory concerns 1(1.1, 1.2, 1.3), 2 (2.1), 3, 4, and 5 (5.1) have been presented to the case examiners on the statutory ground of misconduct.

The case examiners are aware that there is no legal definition of misconduct, but it generally would consist of serious acts or omissions, which suggest a significant departure from what would be expected of the social worker in the circumstances. This can include conduct that takes place in the exercise of professional practice and

conduct which occurs outside the exercise of professional practice but calls into question the suitability of the person to work as a social worker.

To help them decide if the evidence suggests a significant departure from what would be expected in the circumstances, the case examiners have considered the following standards, which were applicable at the time of the concerns:

As a social worker I will:

1.4 Value the importance of family and community systems and work in partnership with people to identify and harness the assets of those systems.

1.7 Recognise and use responsibly, the power and authority I have when working with people, ensuring that my interventions are always necessary, the least intrusive, proportionate, and in people's best interests.

2.1 Be open, honest, reliable and fair.

2.3 Maintain professional relationships with people and ensure that they understand the role of a social worker in their lives.

2.4 Practise in ways that demonstrate empathy, perseverance, authority, professional confidence and capability, working with people to enable full participation in discussions and decision making.

3.1 Work within legal and ethical frameworks, using my professional authority and judgement appropriately.

3.7 Recognise where there may be bias in decision making and address issues that arise from ethical dilemmas, conflicting information, or differing professional decisions.

3.8 Clarify where the accountability lies for delegated work and fulfil that responsibility when it lies with me.

3.11 Maintain clear, accurate, legible and up to date records, documenting how I arrive at my decisions.

As a social worker I will not:

5.2 Behave in a way that would bring into question my suitability to work as a social worker while at work, or outside of work.

With respect to regulatory concern 1, if proven, the case examiners are concerned that the social worker did not appear to follow management instructions or observe the need to complete statutory assessments in relation to carer and service user

need. In doing so, the social worker appeared to make judgements about SU A's best interests and capacity without formalising these opinions via the relevant statutory criteria. It is these very statutory instruments that are designed to protect the rights, responsibilities and opinions of vulnerable adults. If proven, this is further exacerbated by the social worker's exercise of restrictive contact between SU A, their mother and their relatives. It appears that these alleged actions were beyond the powers (*ultra vires*) of the social worker, and potentially unlawful as they did not appear to follow due legal process.

With respect to regulatory concern 2, if proven, this is likely to be a serious matter. The alleged exercise of control of a vulnerable person's finances, without due recourse, or consultation or liaison with a court appointed deputy could be seen to be of significant concern.

With respect to regulatory concerns 3 and 4, the alleged act of misleading a family member who has a degree of statutory exercise over their vulnerable daughter, compounded by a realistic prospect of a finding of dishonesty, potentially amounting to an abuse of trust, is considered particularly serious misconduct.

With respect to regulatory concern 5, if proven, the alleged failure to maintain accurate and update to date records could be seen to be symptomatic of the social worker's alleged inactions, judgements and decisions, which all served to be exercised without adequate recording or completion of statutory documentation.

The case examiners consider the departure from the professionals to be serious, significant and wide-ranging. They therefore conclude **a realistic prospect of the adjudicators making a finding of misconduct.**

Impairment

Assessment of impairment consists of two elements:

1. The personal element, established via an assessment of the risk of repetition.
2. The public element, established through consideration of whether a finding of impairment might be required to maintain public confidence in the social work profession, or in the maintenance of proper standards for social workers.

Personal element

With regards to the concerns before the regulator, the case examiners have given thought to their guidance, and they note that they should consider whether the matters before the regulator are easily remediable, and whether the social worker

has demonstrated insight and/or conducted remediation to the effect that the risk of repetition is highly unlikely.

Whether the conduct can be easily remedied: The case examiners consider that some of the regulatory concerns could be remediated via professional reflection, training and refreshed knowledge with respect to statutory rights and responsibilities in the areas of mental capacity and best interests of vulnerable adults. However, an alleged finding of dishonesty which appears to have taken place over a number of months, and implicated another professional in collusion, would be difficult to remediate as it could represent an attitudinal flaw which could be resistant to change.

Insight and remediation: In their admission of some of the facts relating to misleading a relative, together with their acceptance of dishonesty, it could be argued that the social worker has embarked on developing some insight in relation to these matters. They state that misleading SU A's mother was one of things that they most regret and that they failed to have enough professional curiosity. However, the social worker has provided no account of the reasons for their alleged dishonesty, indicating that their insight is limited. In the opinion of the case examiners, evidence of insight and remediation is further compounded by the limitations of the social worker's responses. For example, the social worker advises that '*I think I made an error on this case*'. This may serve to highlight their lack of insight in relation to the seriousness of these matters. While the social worker states that their role was confusing in that they were both a manager and an allocated social worker, they did not seek to resolve this issue via active allocation. This appeared to be an option that was open to them, as described in their submissions.

The social worker does not accept that their fitness to practise is impaired, stating that they believe they have the skills, knowledge and experience to practise again. However, the social worker has offered no remediation at all, for example by way of reflective practice, education, training or provision of testimonials. While none of these are specific requirements, the failure of the social worker to offer any evidence of remediation is of some concern.

The case examiners have not been presented with any evidence of effective professional performance by the social worker since the concerns arose. The social worker states that their confidence has been knocked by these concerns, so having stopped working as a social worker in November 2024.

Risk of repetition: The case examiners conclude that given the social worker has limited insight, has offered no remediation or opportunities to improve or engage in practice, and that the concerns took place over a number of months, indicating a

pattern of misconduct and dishonesty, that the risk of repetition is likely to be very high.

Public element

The case examiners have next considered whether the social worker's actions have the potential to undermine public confidence in the social work profession, or the maintenance of proper standards for social workers.

It is the opinion of the case examiners, that the public would be very concerned to learn that a social worker had acted in a manner that represented a significant departure from the relevant professional standards. While no evidence of actual harm caused to a service user has been presented, the case examiners consider there to have been the potential for harm to have been caused. Further, the alleged act of misleading a relative in a dishonest manner would also be likely to cause the public significant concern. It is apparent that had such a relative not exercised their powers of complaint, there is the potential for these matters to have not come to light. The case examiners consider that a fully informed member of the public would expect a finding of impairment in order that public confidence be maintained and proper standards for social workers be assured.

The case examiners are satisfied that a failure to find impairment would fundamentally undermine public confidence in the social work profession, and the maintenance of proper professional standards for social workers.

The case examiners conclude a realistic prospect of the adjudicators making a finding of impairment.

The public interest

Decision summary

Is there a public interest in referring the case to a hearing?	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>

Referral criteria

Is there a conflict in the evidence that must be resolved at a hearing?	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>
Does the social worker dispute any or all the key facts of the case?	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>
Is a hearing necessary to maintain public confidence in the profession, and/or to uphold the professional standards of social workers?	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>

Additional reasoning

The case examiners note that the social worker only disputes one key fact in this case, appearing to accept most of the facts that are core to the concept of impairment. The case examiners consider that the public would be reassured by the regulator taking prompt action in this case, through the accepted disposal process, which includes imposition of an agreed sanction and publication of a decision on the register. The case examiners are satisfied that such steps are sufficient to safeguard the public interest.

Accepted disposal

Case outcome

Proposed outcome	No further action	<input type="checkbox"/>
	Advice	<input type="checkbox"/>
	Warning order	<input type="checkbox"/>
	Conditions of practice order	<input type="checkbox"/>
	Suspension order	<input type="checkbox"/>
	Removal order	<input checked="" type="checkbox"/>
Proposed duration	Where a social worker is removed from the register, there is no defined end to the finding of impairment. A social worker that has been removed from the register may only apply to be restored to the register 5 years after the date the removal order took effect. The adjudicators will decide whether to restore a person to the register.	

Reasoning

Having found a realistic prospect the social worker's fitness to practise is currently impaired, the case examiners have considered what sanction they should propose in this case. The case examiners have considered the sanctions guidance published by Social Work England. They are reminded that a sanction is not intended to be punitive but may have a punitive effect and have borne in mind the principle of proportionality and fairness in determining the appropriate sanction.

The case examiners are also mindful that the purpose of any sanction is to protect the public which includes maintaining public confidence in the profession and Social Work England as it's regulator and upholding proper standards of conduct and behaviour.

In assessing and determining the most appropriate sanction, the case examiners will summarise the mitigation and aggravating factors in this case:

Mitigating factors:

- There is no prior adverse history.
- This was a complex case which involved competing human rights which required consultation and liaison with relevant agencies including the need for potential legal advice. The employer investigation report acknowledges that *‘there is no clear process of what to do in such a situation where the relationship between a parent and a shared lives carer breaks down and the parent hold Deputyship’*.
- While the above could be considered as potential mitigation, the case examiners have afforded this limited weight, as there is no indication that as a team manager, their experience would have prevented them from escalating, resolving this issue or seeking appropriate advice. These skills and abilities would reasonably be within the range expected for a social work practitioner.

Aggravating factors:

- If proven, there appears to be active deception and dishonesty in this case, which took place over a period of months and implicated other professionals.
- This significantly delayed potentially life changing outcomes in resolving placement concerns for a vulnerable individual, that may have lacked capacity to make such decisions.
- There is evidence to suggest that the social worker acted beyond their professional powers, which affected the rights and liberties of individuals to exercise their rights to a private and / or family life.
- The social worker appears to have gained limited insight having offered no remediation.

The case examiners have considered the principle of proportionality by weighing the social worker’s interests with the public interest when considering each available sanction in ascending order of severity.

In determining the most appropriate and proportionate outcome in this case, the case examiners have considered the available options in ascending order of seriousness.

No further action, advice or warning

The case examiners consider that the outcomes of no further action, advice, and warning order would be insufficient in this case. In reaching this conclusion, they reminded themselves that the regulator’s sanctions guidance is clear that all three

outcomes, which offer no restriction to a social worker's practice, are not appropriate where there is a high risk of repetition.

In addition, given the concerns in this case relate to particularly serious allegations of dishonest conduct, the case examiners considered that all three outcomes would be wholly insufficient to mark the serious nature of the concerns before the regulator and would not protect the public or public confidence.

Conditions of practice order

With reference to the regulator's sanctions guidance, the case examiners note that conditions of practice are less likely to be appropriate in cases of character, attitude or behavioural failings. They may also not be appropriate in cases raising wider public interest issues.

The case examiners are satisfied that a condition of practice order would therefore be insufficient in this case, which includes conduct that could reasonably be viewed as a particularly serious example of dishonesty. The case examiners consider that a condition of practice order would fail to properly address the wider public interest, which includes upholding public confidence in the social work profession, and maintaining proper professional standards for social workers.

In addition to this, conditions of practice are unlikely to be realistic or workable, given that the social worker is not currently in employment.

Suspension order and removal order

With reference to the regulator's sanctions guidance, the case examiners note the following:

Suspension may be appropriate where (all the following):

- the concerns represent a serious breach of the professional standards
- the social worker has demonstrated some insight
- there is evidence to suggest the social worker is willing and able to resolve or remediate their failings

Suspension is likely to be unsuitable in circumstances where (both of the following):

- the social worker has not demonstrated any insight and remediation

- there is limited evidence to suggest they are willing (or able) to resolve or remediate their failings

A removal order must be made where the decision makers conclude that no other outcome would be enough to (do one or more of the following):

- protect the public
- maintain confidence in the profession
- maintain proper professional standards for social workers in England

As the case examiners have set out earlier in this decision, they consider the social worker to have limited insight and are satisfied that the risk of repetition remains high. The case examiners are also not assured that the conduct in this case can be easily remedied. The case examiners are satisfied that there is no evidence to suggest the social worker is likely, willing or able to remediate.

In such circumstances, the case examiners consider that a suspension order would be insufficient, and the social worker has not provided any evidence which would indicate that they would be able to respond to any recommendations upon review. The case examiners consider also that a suspension order would be insufficient on the basis that it would fail to adequately address the serious nature of the conduct alleged and admitted in this case. The case examiners consider that nothing short of removal from the register would be likely to safeguard public confidence in the social work profession, or the maintenance of proper professional standards for social workers.

The case examiners consider that the level of dishonesty in terms of misleading a relative is serious and could also amount to an abuse of trust. The case examiner guidance clearly states that the serious examples of professional dishonesty and abuses of trust would ordinarily warrant a sanction of a removal order.

The case examiners have decided to propose to the social worker a removal order. They will now notify the social worker of their intention and seek the social worker's agreement to dispose of the matter accordingly. The social worker will be offered 28 days to respond. If the social worker does not agree, or if the case examiners revise their decision regarding the public interest in this case, the matter will proceed to a final hearing.

Response from the social worker

The case examiners have received an 'accepted disposal response form' from the social worker dated 30 October 2025. This states that they have read the case examiners' decision and the accepted disposal guide. They admit the key facts set out in the case examiner decision, accepting that their fitness to practise is impaired. They also understand the terms of the proposed disposal of their fitness to practise case and accept them in full.

They confirm that this is their formal response to the case examiners.

Case examiners' response and final decision

In the light of the social worker's acceptance of the proposed disposal, the case examiners have reconsidered whether a removal order remains the appropriate outcome. The case examiners remain of the view that there is no requirement for this case to be referred to a hearing as the social worker accepts that their fitness to practise is impaired. They have also reviewed their decision regarding the overarching objectives of Social Work England, i.e. protection of the public, the maintenance of public confidence in the social work profession, and the maintenance of proper standards. Having done so, they remain of the view that a removal order is a fair and proportionate disposal and is the minimum necessary to protect the public and the wider public interest.

The case examiners therefore direct that this case can be resolved through an accepted disposal, by way of a removal order.