



Case Examiner Decision
Nicola Harkness – SW130758
FTPS-23634

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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	
1 st preliminary outcome	9 September 2025 Information requested Submissions requested
2 nd preliminary outcome	20 November 2025 Accepted disposal proposed – suspension (1 year)
Final outcome	22 December 2025 Accepted disposal – suspension (1 year)

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concerns 1.1, 1.2, 1.4 being found proven by the adjudicators. [REDACTED]
2. There is a realistic prospect of regulatory concerns 1.1, 1.2 and 1.4 being found to amount to the statutory ground of misconduct [REDACTED]
3. For regulatory concerns 1.1, 1.2, 1.4, there is a realistic prospect of adjudicators determining that the social worker's fitness to practise is currently impaired. [REDACTED]

[REDACTED]

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

As such, the case examiners requested that the social worker be notified of their intention to resolve the case with a suspension order of 1 year. The social worker subsequently accepted the proposed disposal. Having revisited the public interest in the case, the case examiners determined that a suspension order of 1 year remained the most appropriate outcome in this case.

The case examiners have considered all of the documents made available within the evidence bundle.

[REDACTED]

Anonymity and redaction

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

In accordance with Social Work England's fitness to practise proceedings and registration appeals publications policy, the case examiners have anonymised the names of individuals to maintain privacy. A schedule of anonymity is provided below for the social worker and complainant, and will be redacted if this decision is published.

Person A	[REDACTED]
Person B	[REDACTED]

The complaint and our regulatory concerns

The initial complaint

The complainant	The complaint was raised by the social worker's former employer, South Tyneside Council
Date the complaint was received	19 July 2024
Complaint summary	The former employer investigated concerns about the social worker behaving in an unprofessional way and breaching professional boundaries with adoptive parents of children allocated to the social worker. The regulatory concerns adequately capture the complaint.

Regulatory concerns and concerns recommended for closure

Whilst registered as a social worker;

1. You have failed to maintain appropriate professional boundaries by:
 - 1.1 Entering into a relationship with Person A
 - 1.2 Spending the night at the property of Person A and Person B
 - 1.4 Consuming alcohol to excess on a work trip with foster carers and adoptive parents of children for whom you were the allocated worker

The matters outlined in regulatory concerns (1.1), (1.2) and (1.4) amount to the statutory ground of misconduct.



Your fitness to practise is impaired by reason of misconduct 

