

Name: Akwasi Anane
Case Number: RES-23895
Restoration application hearing:

Hearing Venue: Remote

Date of hearing: 24- 25 June 2025

Hearing Outcome: Application dismissed

Introduction and attendees:

1. Mr Anane attended and was presented by Dr Addaih.
2. Social Work England was represented by Ms Holdsworth, presenting officer from Capsticks LLP.

Adjudicators	Role
Clive Powell	Chair
Helen Dunkley	Social Work Adjudicator
N/A	Lay Adjudicator

Paige Swallow	Hearings Officer
Ruby Wade	Hearing Support Officer
Diarmuid Bunting	Legal Adviser

Service of Notice:

3. The panel of adjudicators (hereafter “the panel”) was informed by Ms Holdsworth that notice of this hearing was sent to Mr Anane by email to an electronic email address provided by Mr Anane to Social Work England. Ms Holdsworth submitted that the notice of this hearing had been duly served, notwithstanding the absence of a signed statement of service from the person who sent the notice of hearing.
4. The panel accepted the advice of the legal adviser in relation to service of notice, including in relation to the fact that rule 44 (b) appeared to be permissive rather than prescriptive in respect of the ways in which service may be proved.
5. Having regard to rule 44 and all the information before it in relation to service, including the fact that Mr Anane accepted that he had received the notice of hearing on 15 May 2025 to an appropriate email address, the panel was satisfied that notice of this hearing had been served on Mr Anane in accordance with the Rules.

Background to application:

6. This is Mr Anane’s application to be restored to Social Work England’s register of social workers to enable him to return to social work practice in England.
7. This application is made pursuant to Regulation 15 of the Social Workers Regulations 2018 (the Regulations). The panel may in accordance with Regulation 15(6) of the Regulations:

- a. restore the person's registration by recording the information set out in regulation 9(1) of the Regulations in relation to them in the register, and must notify them accordingly, and
 - b. make a conditions of practice order in relation to the registered social worker, and paragraphs 12(4), 13, 15 and 16 of Schedule 2 of the Regulations apply to such an order as they apply to a conditions of practice order made in fitness to practise proceedings.
8. The uncontroversial background to the application was summarised by Ms Holdsworth in the written submissions on behalf of Social Work England as follows:

2. The background to the application is as follows:

- a. *The Applicant qualified as a social worker in April 2009. He was previously registered with the General Social Care Council (GSCC) and the Health and Care Professions Council (HCPC).*
- b. *A Conduct and Competence Committee of the HCPC determined following a hearing between 17 – 18 February 2014 that the Applicant should be struck off the social work register in connection with the following matters:-*

Whilst registered as a Social Worker:

- 1) After entering the UK in the name of Gordon Anim Osafo on 2 January 1999 with leave to enter for 6 months as a visitor you overstayed your leave to enter.*
- 2) In October 2004 you applied in the name of Akwasi Anane for an extension of stay in the UK without declaring your prior entry to the UK in a different identity.*
- 3) Though you had no lawful basis for remaining, you did not leave the UK when your applications for extension of stay were finally rejected in December 2009.*
- 4) You have worked in the UK despite never being permitted to do so by your immigration status.*
- 5) Over the period October 2006 to April 2009 you obtained funding to which, because of your immigration status, you were not entitled in order to undertake social work training.*
- 6) Each of your actions in paragraphs 1-5 is dishonest.*
- 7) The matters described in paragraphs 1-6 amount to misconduct.*

- c. *In determining facts the panel found the following:*

Facts Proved: 1; 2; 3; 5 and 6 (partial)

Facts Not Proved: 4 and 6 in respect of 4

In finding the above facts proved the panel noted that the Applicant had made some admissions when interviewed under caution in respect of paragraph 1 and paragraph 2. A copy of the final determination can be found at page 257 – 265 of the Restoration Application bundle. Hereafter, references to the Restoration Bundle will

appear as 'B/XX'. References to the Service and Supplementary bundle will appear as 'S/XX'

- d. *In considering misconduct the panel found that "the behaviour had taken place over a protracted period of time of nearly ten years. There had been repeated matters of dishonesty, particularly in making funding applications. The registrant benefitted financially and professionally from these acts of dishonesty. He misled the authorities on a number of occasions and sought to abdicate his responsibility for providing accurate information in applications by saying the local authority should have checked the information which he had given. It is clear that the registrant made conscious choices to behave as he did". They noted that "he showed some insight and made admissions to some of the paragraphs in the allegation accepting that he had acted dishonestly in relation to those paragraphs that he admitted. The registrant said that he had not worked as a social worker since 2009" B/262*
- e. *In considering impairment the panel observed "The registrant did not provide any information from previous employers or work colleagues relating to his work as a social care worker. The Panel had no information as to his ability as a social worker appears from the registrant's uncorroborated word. The Panel also had no information as to how the registrant has maintained his skills and knowledge since 2009" [B/262]. In respect of insight the panel said "The registrant said that the misbehaviour found proved did not relate to his practice. Although he apologised, he again repeated the assertion that he did not act fraudulently and it was the fault of the local authority for not checking the information that he had provided. The Panel consider that this is an indication of the registrant's lack of insight. It also shows insufficient remorse for his dishonest conduct and behaviour". [B/262]*
- f. *The panel noted that "...this is such a case where the misconduct is so serious as to undermine public confidence in the profession if a finding of impairment of fitness to practise were not made. The registrant acted dishonestly over a long period of time. The acts of dishonesty benefitted him both financially and professionally. He still seeks to rely upon those acts and return to work as a social worker should his residency difficulties be resolved. Dishonesty of this nature can be difficult to remediate. The acts of dishonesty were repeated over a long period of time. No evidence has been put before the Panel to show any attempt to remediate that dishonest behaviour. Therefore, the Panel considers that there is still a risk of dishonest behaviour being repeated" [B/263]*
- g. *In imposing a striking off order the panel said "The Panel therefore looked at a striking off order which would permanently remove the registrant from the register and therefore is a sanction of last resort. This sanction is used for serious matters involving an abuse of trust, where there is lack of insight, continuing problems or denial. In the Panel's view the nature and gravity of the allegation found against the registrant is such that the wider public interest is engaged. The behaviour found proved is fundamentally incompatible with the behaviour expected by the public of a social worker. Such behaviour should be deterred as the public confidence in the profession would be negatively affected and the reputation of the regulator called into question unless they were dealt with in an appropriate and proportionate manner. The Panel concluded that the registrant would not be able to resolve or remedy the outstanding concerns as to his dishonest behaviour and therefore find that a striking off order should be made in this case". [B/265]*

3. At an Adjudicators Administrative Meeting on 15 May 2025 [S/8-11], the Adjudicators made directions stating that they:-

1. Require Mr Anane's practice supervisor, Corinne Polley, to attend and give evidence. As such the application will be heard by way of a hearing. Social Work England is required to give notice of not less than 7 calendar days of the date, time and place of hearing.

2. Mr Anane must attend the hearing and must provide the following documentation not less than 7 calendar days before the hearing:

a. A reflective piece covering the following

i. An understanding of the events that led to his removal

ii. Evidence of insight and any actions taken to remediate his previous misconduct including the aspects found to have amounted to dishonesty

iii. Evidence of steps taken to ensure the misconduct and dishonesty will not be repeated

b. Primary evidence confirming his right to live and to work in the UK

i. This must confirm the period that this remains valid

c. Up to date evidence of training and CPD

d. Testimonials (character and work) dealing specifically with honesty and integrity:

i. Work references which should cover his complete work history since removal;

ii. The reference at pp 77-78 of the current bundle [Section C] must be reserved in line with the requirements below;

iii. All writers must confirm that they understand the circumstances in which Mr Anane was removed from the HCPC register, particularly the aspects amounting to findings of dishonesty;

iv. All testimonials must be dated and signed;

v. All must contain the contact details of the writers i.e. email, phone number, postal address;

e. A clean copy of his DBS check (p.88 [Section C] of the served copy in the bundle is obscured.)

Submissions:

9. Mr Anane submitted, via Dr Addaih, that the panel should restore his registration. To summarise, he sought restoration on the following basis:

a. Mr Anane admitted to his wrongdoing, as set out in his reflective statement.

- b. Mr Anane had remediated, as set out in his reflective statement.
 - c. The HCPC's removal order was issued 11 years ago.
 - d. Mr Anane was of good character.
 - e. Ms Polley gave clear evidence about the fact that Mr Anane had performed very well in his job as a family support worker (since 27 March 2024) within Children and Family Services at Essex County Council.
 - f. Mr Anane had not been barred by the Disclosure and Barring Service.
 - g. The panel's decision must be proportionate and logical.
 - h. Mr Anane worked to bring families together since his removal by the Health and Care Professions Council.
10. Dr Addaih referred the panel to two legal decisions, shortly before he had to leave at around 2:40 pm, namely 'Beoku-Betts' and 'Nkurunzaza' (the latter said to be a case from 2010). The legal adviser gave advice to the panel about the fact that the former case appeared to be an immigration case which related to human right issues. The legal adviser, the case presenter and the panel were unable to locate the latter case.
11. Capsticks on behalf of Social Work England invited the panel to refuse restoration. Social Work England relies upon the position statement. To summarise, Ms Holdsworth sought refusal on the following basis:
- a. Mr Anane did not meet the requirement for initial registration under regulation 11(2)(b) of the Social Workers Regulations 2018, and therefore, pursuant to regulation 15(4)(a), his application should be refused on the basis that he had failed to demonstrate sufficient insight or remediation. Thus he was not capable of safe and effective practice in accordance with the professional standards relating to conduct and ethics.
 - b. The extent to which Mr Anane's manager at Essex County Council was aware of the allegations which had led to his removal by the Health and Care Professions Council was initially unclear. However, after the evidence of Ms Polley, it appeared that she had not been made aware of the reason for the applicant's removal in 2014 until very recently.
 - c. The onus is on the applicant to satisfy the panel that their registration should be restored.
 - d. The past behaviour in this case was very serious.
 - e. There was no evidence of discussions between Mr Anane and his supervisor / line manager, Ms Polley, in relation to the findings of the Health and Care Professions Council when ordering removal.

Panel's decision:

12. The panel heard and accepted the advice of the legal adviser and considered the written and oral submissions made by Ms Holdsworth of Capsticks on behalf of Social Work England. The panel took into account the written and oral evidence of Mr Anane and Ms Corinne Polley. The panel noted that the previous concerns and findings which gave rise to Mr Anane's removal by the Health and Care Professions Council and the information provided at this hearing. The panel also took into account all of the documents submitted together with Social Work England's Restoration to the Register After Removal Order Guidance 2019, the Registration Rules 2019 and regulations 11 and 15 of the Social Workers Regulations 2018.
13. The panel noted the basis of Mr Anane's application and determined that it should be dismissed.
14. The panel considered each of the three eligibility requirements under regulation 15(4) of the Social Workers Regulations 2018.
15. In relation to regulation 15(4)(b), the parties agreed and the panel held that Mr Anane had not applied for restoration within the 12 months before the date he submitted the current application.
16. In relation to regulation 15(4)(c), the parties agreed and the panel held that Mr Anane had undertaken the required additional training, as specified under rule 14 of the Registration Rules 2019.
17. In relation to regulation 15(4)(a), a number of issues required consideration.
18. The panel considered each of the initial registration requirements under regulation 11(2).
 - a. The parties agreed and the panel held that the applicant had a recognised qualification.
 - b. The parties agreed and the panel held that the applicant had met the requirements for additional training.
 - c. The parties agreed and the panel held that the applicant had the necessary knowledge of English.
 - d. The parties agreed and the panel held that the applicant had not been convicted of a listed offence.
19. The fundamental matter in dispute under regulation 11(2) and regulation 15(4)(c) related to whether the applicant was 'capable of safe and effective practice in accordance with the professional standards relating to conduct and ethics'.
20. In determining that issue, the panel considered the following:

- a. The circumstances which led to removal were very serious, relating to repeated dishonesty over a significant period. This included misleading the Home Office and the illegitimate receipt of funding in relation to the applicant's social work qualification.
- b. 11 years have passed since the removal order.
- c. The applicant had not fully complied with paragraph 2d of the directions of the Adjudicators Administrative meeting on 15 May 2025.
- d. Since his removal, Mr Anane had not been adversely involved in any safeguarding concerns. He had made a positive impact in his work. He had, from 2023 in any case, showed a commitment to training and to social work. Since March 2024, he had performed well as a family support worker, an unregulated role in the social care field.
- e. Mr Anane had not been entirely forthcoming with Ms Polley about the reasons for his removal from the register in 2014. She only found out about the fact that there had been a removal order on 3 June 2025. Of significance to the panel was the fact that Ms Polley had never seen the HCPC determination and was reliant on what Mr Anane had told her. The applicant suggested that he had been forthcoming with the panel which interviewed him for appointment to Essex County Council in 2023, about the reasons for removal. Ms Polley was unable to confirm this as she had not been involved in the interview process.
- f. The applicant demonstrated some understanding of the events that resulted in the removal order, albeit he did not show full insight. He showed limited understanding of the impact of his actions on others. Also, his supervisor, Ms Polley, had evidently been unable to help him to reflect and/or remediate in relation to the matters which led to the removal order because she was not made aware of the reason for removal until 3 June 2025 as told to her by Mr Anane in a manner which did not appear to focus on his culpability and/or the specifics of the allegations which were upheld.
- g. The applicant did not demonstrate adequate reflection, including by reason of the fact that he did not disclose relevant information to Ms Polley to enable them to meaningfully reflect on the matters leading to the removal order, including Mr Anane's culpability and/or insight in relation to those matters. Ms Polley's support to Mr Anane was limited to day to day aspects of his role and achieving the requisite professional development. She was unaware of the HCPC findings and therefore unaware of the nature of the dishonesty found proved that needed to be addressed by Mr Anane.

- h. In its consideration of the application the panel was very much aware that although not in a regulated profession as a family support worker, the personal values and qualities expected of Mr Anane are similar. The public have a right to expect that in such circumstances Mr Anane would have been entirely transparent with his employer and line manager- given that he was seeking to return to the profession from which he had been removed.

21. Having considered the matters above, the panel found that Mr Anane demonstrated some insight, remorse and remediation, but these were not comprehensive, including due to Mr Anane's his lack of engagement with his employer about the matters which led to his removal. The panel was not convinced that the applicant had fully engaged with his level of responsibility in respect of the allegations which were upheld in 2014.

22. The panel considered that it may have been assisted, in relation to the applicant demonstrating insight, by a reflective piece which addressed each of the specific allegations which were upheld in the Health and Care Professions Council's removal decision, rather than the more broad reflective documents which were provided.

23. The panel then balanced the above findings against each limb of the overarching objective of public protection.

- a. In relation to Social Work England's obligation to protect, promote and maintain the health, safety and wellbeing of the public, the panel considered that there was not a realistic risk of repetition, nor a risk of harm to public.
- b. In relation to Social Work England's obligation to promote and maintain public confidence in social workers in England, the panel considered that, even though there was no meaningful risk of repetition, the conduct was so serious that, in light of the applicant's limited insight and remediation and lack of transparency with his employer, restoration at this time would undermine the public's confidence in the social work profession.
- c. In relation to Social Work England's obligation to promote and maintain proper professional standards for social workers in England, the panel considered that there had been a serious departure from professional standards. In the circumstances, including the limited insight, lack of transparency and the fact that the applicant's qualification was gained in a dishonest manner, it would not be consistent with professional standards to permit restoration at this time.

24. Therefore, based upon the second and third limbs of the overarching objective, the panel was not satisfied that it should order restoration.

25. The panel went on to consider whether restoration with conditions of practice would be suitable. It noted that:

- a. Neither party had advocated for such an order;
- b. Social Work England's Impairment and Sanctions Guidance states that conditions are unlikely to be appropriate in cases of dishonesty;
- c. There appeared to be no appropriate, proportionate, workable conditions which could be put in place to adequately protected the second and third limbs of the overarching objective.

26. The panel held that restoration with conditions was not appropriate.

27. The panel therefore dismissed the application.

Right of appeal:

28. A person may appeal to Social Work England, in accordance with regulation 19(1)(h) of the Regulations, appeal a decision to refuse to restore registration under regulation 15(10) of the Regulations.

29. On an appeal under paragraph 19(1)(h) a panel of adjudicators may:

- (a) dismiss the appeal;
- (b) quash the decision;
- (c) substitute for the decision being appealed any other decision that the decision maker could have made; or,
- (d) remit the decision to the regulator