



Case Examiner Decision

Neshaun Ferguson

SW131013

FTPS-23914

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	9 October 2025
	Information requested Submissions requested
Preliminary outcome	26 February 2026
	Accepted disposal proposed – warning order (3 years)
Final outcome	7 May 2026
	Accepted disposal – warning order (3 years)

Executive summary

The case examiners initially identified a potential procedural irregularity and referred the case back to investigators so that the matter could be considered by the regulator and appropriate action taken. The case examiners also requested additional evidence from the investigators.

Upon receipt of an updated evidence bundle, the case examiners established that in accordance with paragraph 1(2) of Schedule 2 to The Social Workers Regulations (2018), there is a realistic prospect that adjudicators would determine that the social worker's fitness to practise is impaired.

In accordance with the regulations, the case examiners therefore commenced their decision making by considering whether there was a public interest in referring this case to a hearing.

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

As such, the case examiners requested that the social worker was notified of their intention to resolve the case with a warning order of 3 years duration.

On 30 April 2026 the social worker confirmed that they had read the case examiner's decision and the accepted disposal guide. The social worker confirmed that they understood the terms of the proposed disposal of their case and accepted them in full.

In Summary:

1. There is a realistic prospect of regulatory concern 1 being found proven by the adjudicators.
2. There is a realistic prospect of regulatory concern 1 being found to amount to the statutory ground of a conviction or caution in the United Kingdom for a criminal offence.
3. For regulatory concern 1, there is a realistic prospect of adjudicators determining that the social worker's fitness to practise is currently impaired.

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