

Case Examiner Decision
Robert Saunders - SW38706
FTPS-20526

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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 outcomes	1) 20 June 2024 2) 31 October 2024
	1) Accepted disposal proposed - removal order 2) Accepted disposal proposed - removal order
Final outcome	10 December 2024
	Accepted disposal - removal order

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concerns 1 (1.1-1.4 inclusive), 2 (2.1), ■ 4 and 5 being found proven by the adjudicators.
2. There is a realistic prospect of regulatory concerns (1.1-1.4 inclusive), 2 (2.1), 4 and 5 being found to amount to the statutory grounds of misconduct and adverse physical or mental health. ■
■
3. For regulatory concerns (1.1-1.4 inclusive), 2 (2.1), 4 and 5, 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. As such, the case examiners requested that the social worker was notified of their intention to resolve the case with a removal order, subject to the social worker's agreement. The proposed accepted disposal of removal was solely in relation to those concerns presented to the case examiners on the grounds of misconduct.

The case examiners were subsequently advised that the social worker had requested amendments. Having considered those amendments, some of which were agreed by the case examiners, the case examiners concluded that these did not have any material impact on their proposed accepted disposal in this case.

The case examiners thus again concluded that they 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 an accepted disposal of a removal order.

As such, the case examiners requested that the social worker was again notified of their intention to resolve the case with a removal order, subject to the social worker's agreement. As previously, the proposed accepted disposal of removal was solely in relation to those concerns presented to the case examiners on the grounds of misconduct.

The social worker subsequently confirmed that they accepted the terms of the proposed disposal, a removal order, in full.

The case examiners have considered all of 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. Any 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.

Service User A	
Service User B	
Service User C	
Service User D	
Service User E	

The complaint and our regulatory concerns

The initial complaint

The complainant	The complaint was raised by the social worker's former employer.
Date the complaint was received	05 April 2022
Complaint summary	The allegations raised were that the social worker had copied information from other professionals' reports into their own reports, constituting dishonesty and a data breach. The specific details of the concerns raised are captured in the regulatory concerns below.

Regulatory concerns

As amended by the case examiners:

Whilst registered as a social worker between the 24th June 2021 and 6th December 2021 you:

1. Submitted Best Interest Assessments for service users in that:
 - 1.1. Historical information was copied from previous assessments and presented as current information in your own assessments.
 - 1.2. Information was copied from service user A's assessment and presented as information about service user B in your assessment of service user B.
 - 1.3. As a result of 1.1 and 1.2 above, your assessments presented misleading and inaccurate information.
 - 1.4. Conversations that you recorded as having had with the service users and/or others during the period of assessments were false and/or misleading.
2. Failed to handle confidential information in line with the law in that:
 - 2.1. Information relating to service user C was included in service user D's assessment which was

shared with service user D's family and care provider.

4. Your conduct at regulatory concerns 1.1, 1.2 [REDACTED] was dishonest.

Grounds of impairment:

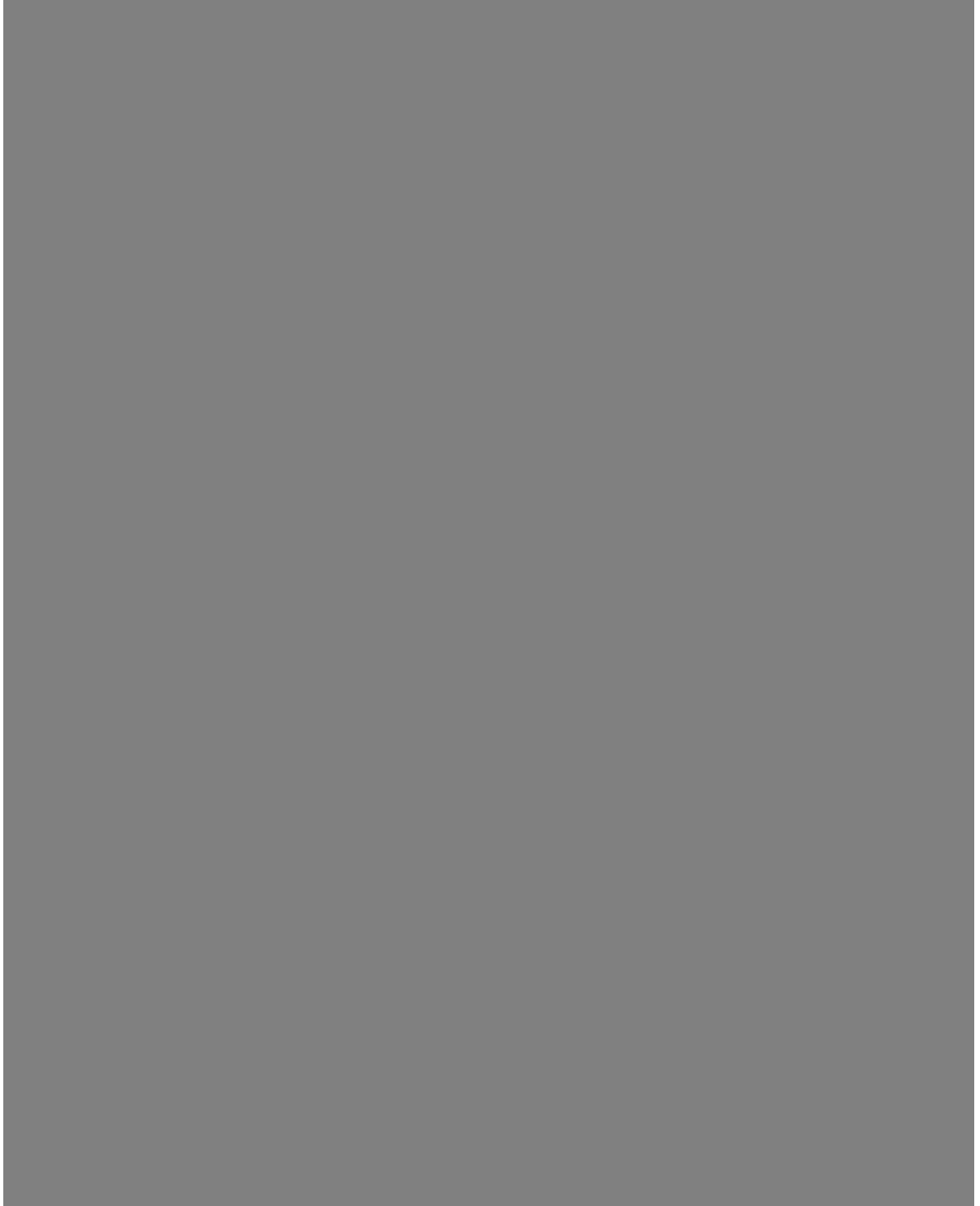
The matters outlined at regulatory concerns 1,2, [REDACTED] and 4 amount to the statutory ground of misconduct.

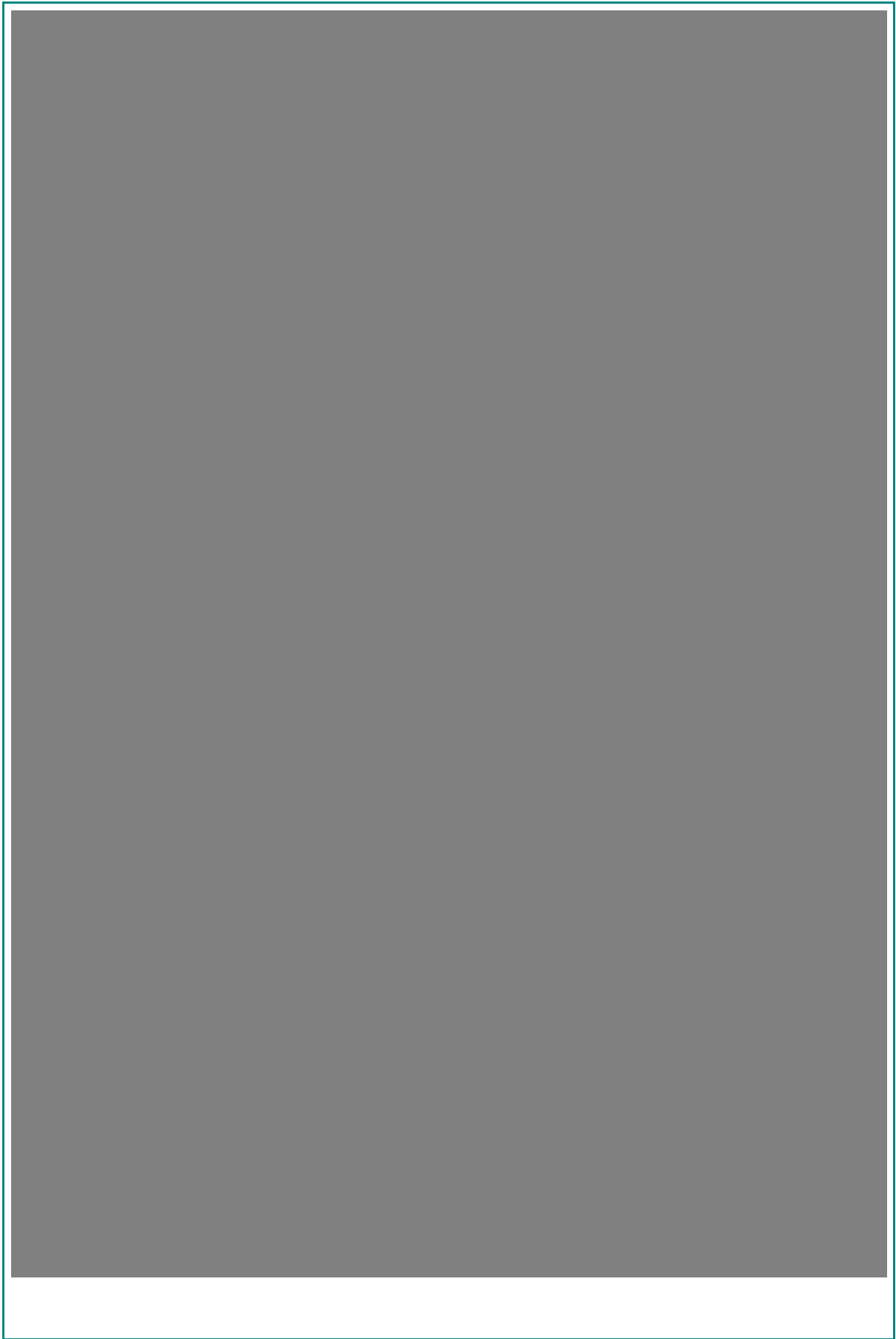
By reason of your misconduct and/or adverse physical or mental health your fitness to practice is impaired.

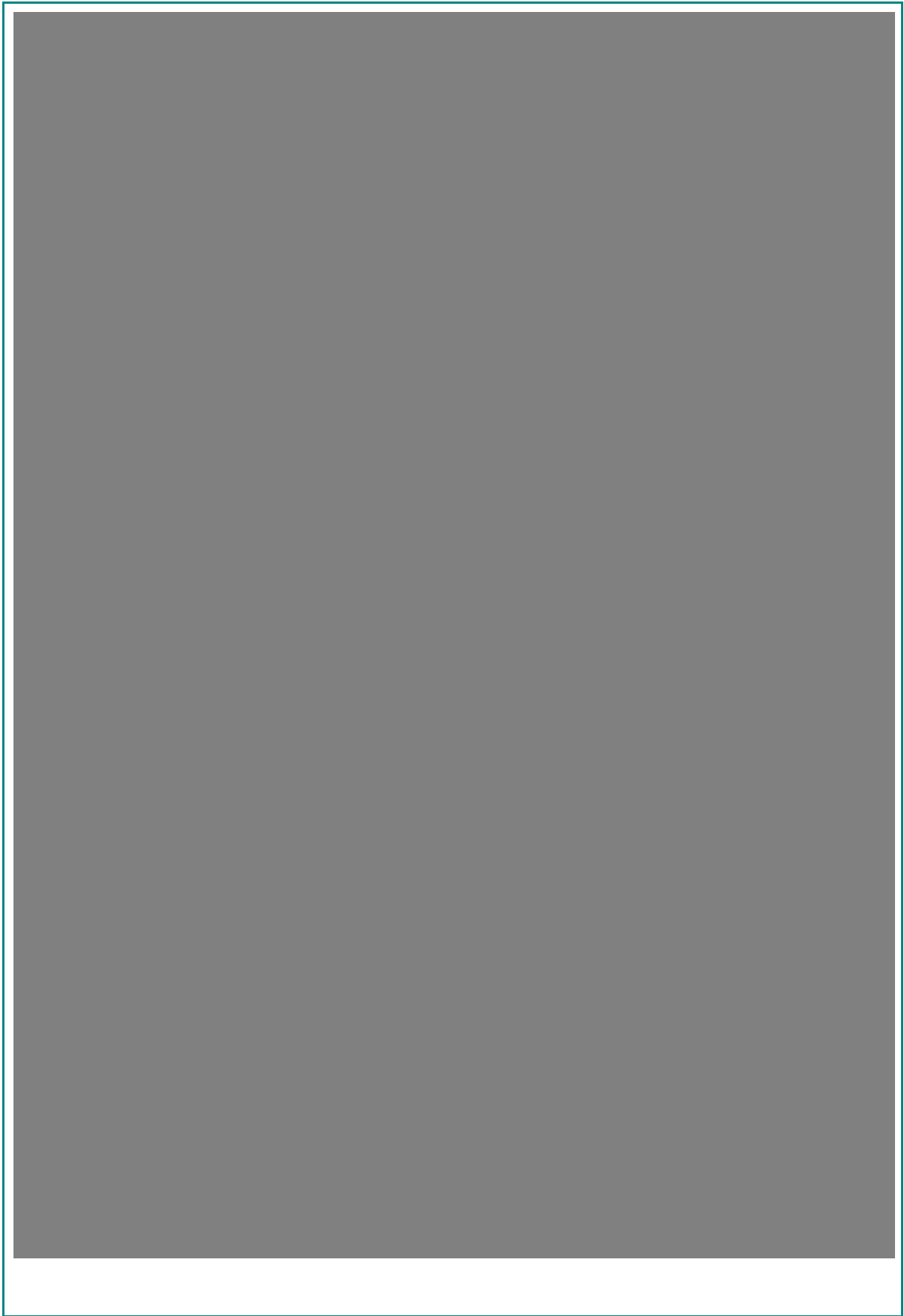
Preliminary issues

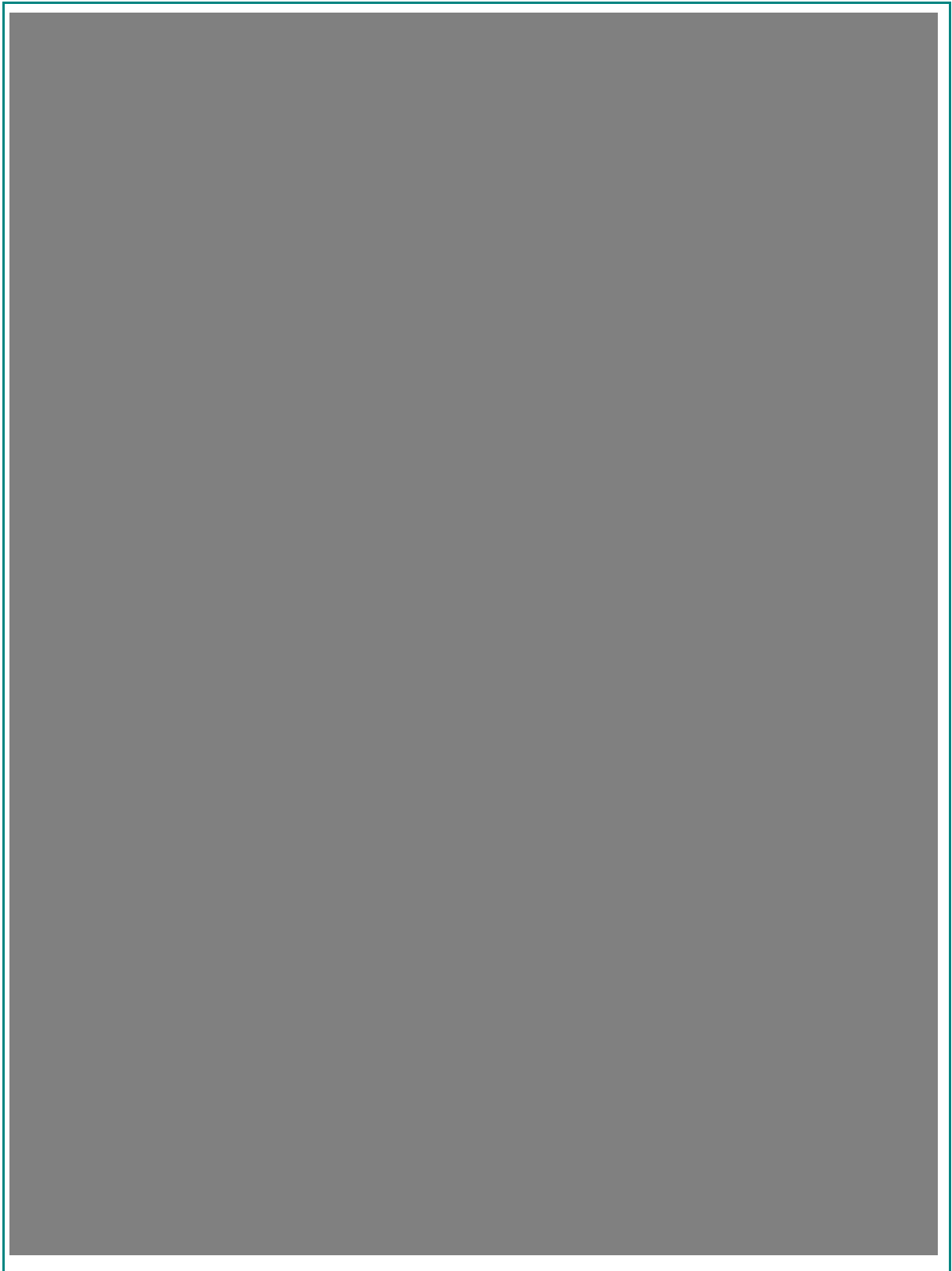
Investigation		
Are the case examiners satisfied that the social worker has been notified of the grounds for investigation?	Yes	☒
	No	☐
Are the case examiners satisfied that the social worker has had reasonable opportunity to make written representations to the investigators?	Yes	☒
	No	☐
Are the case 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	☒
	No	☐
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	☒
	No	☐

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



No



The case examiners have determined that there is a realistic prospect of regulatory concerns (1.1-1.4 inclusive), 2 (2.1), 4 [REDACTED] being found proven, that those concerns could amount to the statutory grounds of misconduct [REDACTED], and that the social worker's fitness to practise could be found impaired.

Reasoning

Facts

Whilst registered as a social worker between the 24th June 2021 and 6th December 2021 you:

1. Submitted Best Interest Assessments for service users in that:
 - 1.1. Historical information was copied from previous assessments and presented as current information in your own assessments.
 - 1.2. Information was copied from service user A's assessment and presented as information about service user B in your assessment of service user B.
 - 1.3. As a result of 1.1 and 1.2 above, your assessments presented misleading and inaccurate information.
 - 1.4. Conversations that you recorded as having had with the service users and/or others during the period of assessments were false and/or misleading.

The case examiners have carefully considered all of the information presented to them in relation to concern 1, and have particularly noted evidence indicating that:

- In December 2021 a local authority solicitor raised concerns regarding similarities between a Best Interest Assessment (BIA) completed by the social worker for court proceedings and one completed six

months earlier by another social worker for the same service user.

- Within the BIA completed by the social worker, a recorded conversation with the service user was found to be identical to that recorded previously by another social worker. Conversations recorded with family members and the care provider also bore striking similarities.
- A subsequent examination of BIAs completed by the social worker between 24 June 2021 and 6 December 2021 identified further examples of information from previous assessments, including professional reasoning, being copied into new assessments, when that information appeared no longer current. In one case (service user E), a further examination of the information presented in the BIA was found to be similar to one conducted some three years earlier by a different assessor, even though more recent assessments had recorded a change in the service user's presentation and circumstances in the intervening years.
- In relation to the BIAs for service user A and service user B, completed on the same day, these

assessments, including the assessment conclusions, were found to be ‘practically identical’, despite the information being client specific, rather than generic.

In their submissions to Social Work England, the social worker admits regulatory concern 1 with regards to copying information between assessments. However, they state that there was “*no deliberate intention to copy/paste apart from when this information remained relevant*”.

The case examiners note that in some circumstances it is not inappropriate to copy information between assessments, providing it is accurate and remains current and relevant. However, the evidence presented to them in this case is that the social worker has systematically copied information between assessments and presented it as relevant and current, even where it is outdated or has come from the records of a different service user. In the examples provided, the case examiners are satisfied that the evidence presented to them indicates that the social worker alleged actions have led to inaccurate and misleading information, including information pertaining to be of conversations held, being present in a number of BIAs completed by the social worker.

The case examiners are satisfied that there is a realistic prospect of concern 1 (1.1-1.4) being found proven by adjudicators.

2. Failed to handle confidential information in line with the law in that:

2.1. Information relating to service user C was included in service user D's assessment which was shared with service user D's family and care provider.

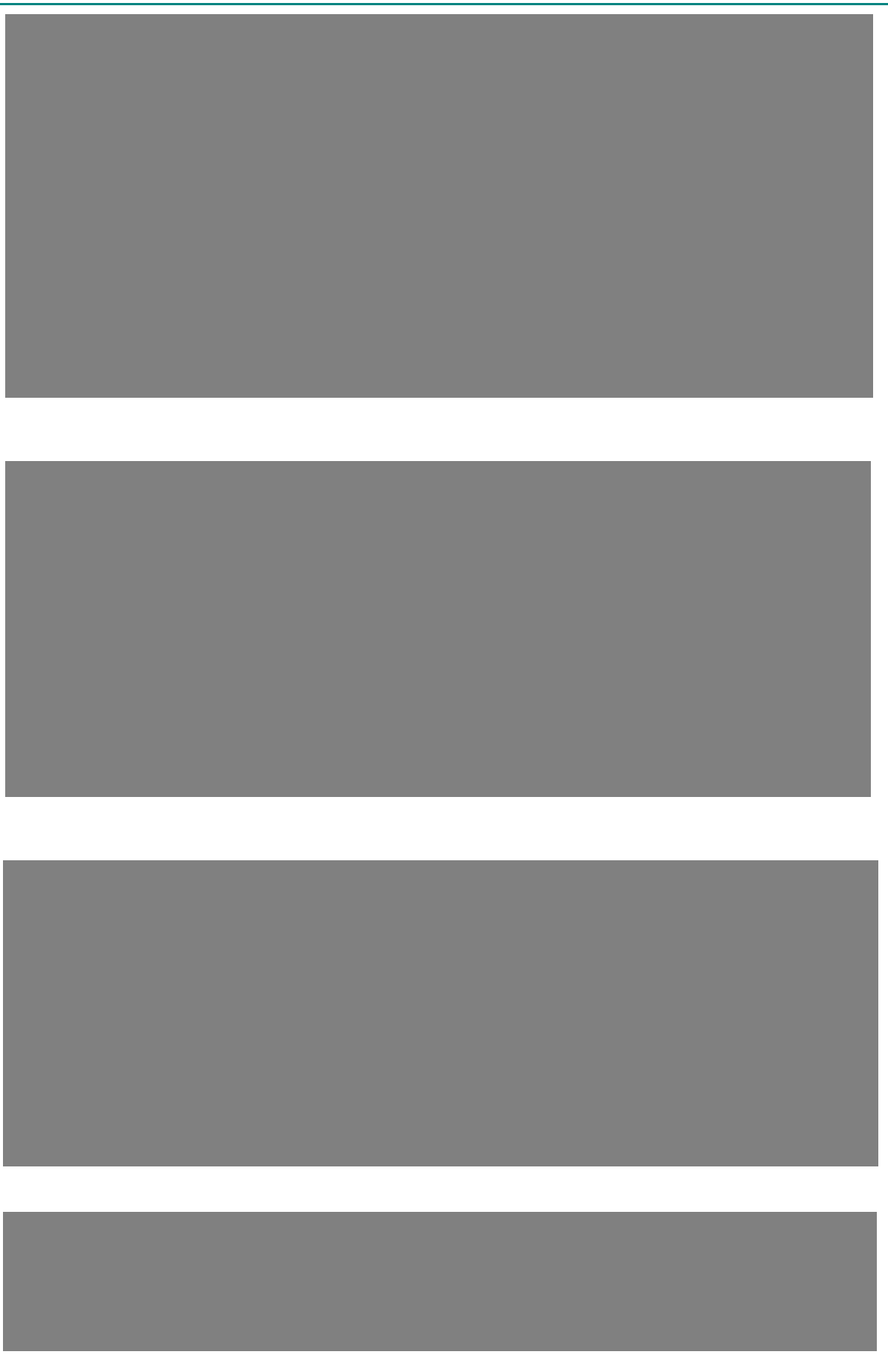
The case examiners have carefully considered all of the information presented to them in relation to this concern. They have noted evidence of service user C's name, location and presentation being included in an assessment for service user D. This assessment appears to have then been shared with the family of service user D, and the care provider.

The case examiners are aware that the Data Protection Act and General Data Protection Regulations control how personal information is used by organisations, including local authorities. If it is found that the social worker acted as alleged at concern 2.1, this is likely to constitute a data breach and to be outside of the law.

The social worker, in their submissions, admits regulatory concern 2. The social worker states “these errors should have been identified in proofreading prior to sending them out to service users/relatives”. The social worker refers to mitigation with regards to issues with their vision and magnification software not being fully compatible with the systems used by their employer. Mitigation provided by the social worker will be considered by the case examiners in their consideration of the statutory grounds.

The case examiners are satisfied that there is a realistic prospect of concern 2(2.1) being found proven by adjudicators.





4. Your conduct at regulatory concerns 1.1 and 1.2 [REDACTED] was dishonest.

When considering dishonesty, the case examiners have applied two tests, in line with relevant case law. Firstly, they have assessed the evidence to establish what adjudicators may determine the social worker's actual state of knowledge or belief was at the relevant time (the subjective test). Secondly, they have considered whether the social worker's conduct could be deemed as dishonest by the standards of ordinary, decent people (the objective test).

The case examiners have first considered the allegation of dishonesty in relation to concerns 1.1 and 1.2. These concerns allege that the social worker copied historical information from previous BIAs completed by other professionals, presenting the information as their own current BIA, as well as copying information from one service user's BIA, and presenting it as information informing another service user's BIA.

In considering the subjective test, the case examiners note the following:

- while accepting that they have copied some information between assessments, the social worker denies that their actions were dishonest.

During the employer's investigation (email of 3 April 2022) the social worker stated that they were *"particularly distressed by the allegation of dishonesty"*, and referenced the damaging impact that this allegation could have on another position (unrelated to social worker) that they were training for.

- In the employer's investigation interview with the social worker on 8 February 2022, the social worker is asked to discuss their understanding of *"copy and paste in normal practice"*, and the social worker indicates that they understand the importance of any copied information *"remain(ing) correct at the time I assess"* and that it is important that information is *"time specific"*.
- The social worker also made the following statements during the same employer's interview:

"as someone who is doing a post grad part time diploma I'm fully aware of academic rules on plagiarism and includes using information from your own assignment in a further assignment and to reference where you are getting information from".

"factual background would be fine (to copy and paste), but you would need to ensure that the assessment records your observations and assessments of (the service user), rather than what

someone else might have said previously, you can refer to previous assessments but it must be your own opinion from the information gathered.”

- The social worker appears to be an experienced BIA assessor, and had attended the relevant refresher training seven times since 2015, with the most recent recoded as being the 6 July 2021.
- In their final submissions, while the social worker denies dishonesty, they do not address the allegations raised by concerns 1.1 and 1.2.

The case examiners have already found a realistic prospect of concerns 1.1 and 1.2 being found proven. They are also satisfied from the evidence presented to them and summarised above, that the social worker would have understood that presenting historical information as being current, and copying significant amounts of information between two service users BIAs, would suggest that the information being recorded was inaccurate and false, for those cases it was being copied into. As such, the case examiners are satisfied that it is reasonable to presume the social worker would also have known their actions to be dishonest.

The case examiners are also of the view that a social worker repeatedly passing off historical assessments of service users completed by other professionals as current and as their own, and copying an assessment from one service user to another, in the circumstances alleged, could be deemed as dishonest by the standards of ordinary, decent people.





The case examiners are therefore satisfied that there is a realistic prospect of concern 4 being found proven by adjudicators, in relation to concerns 1.1 and 1.2 only.



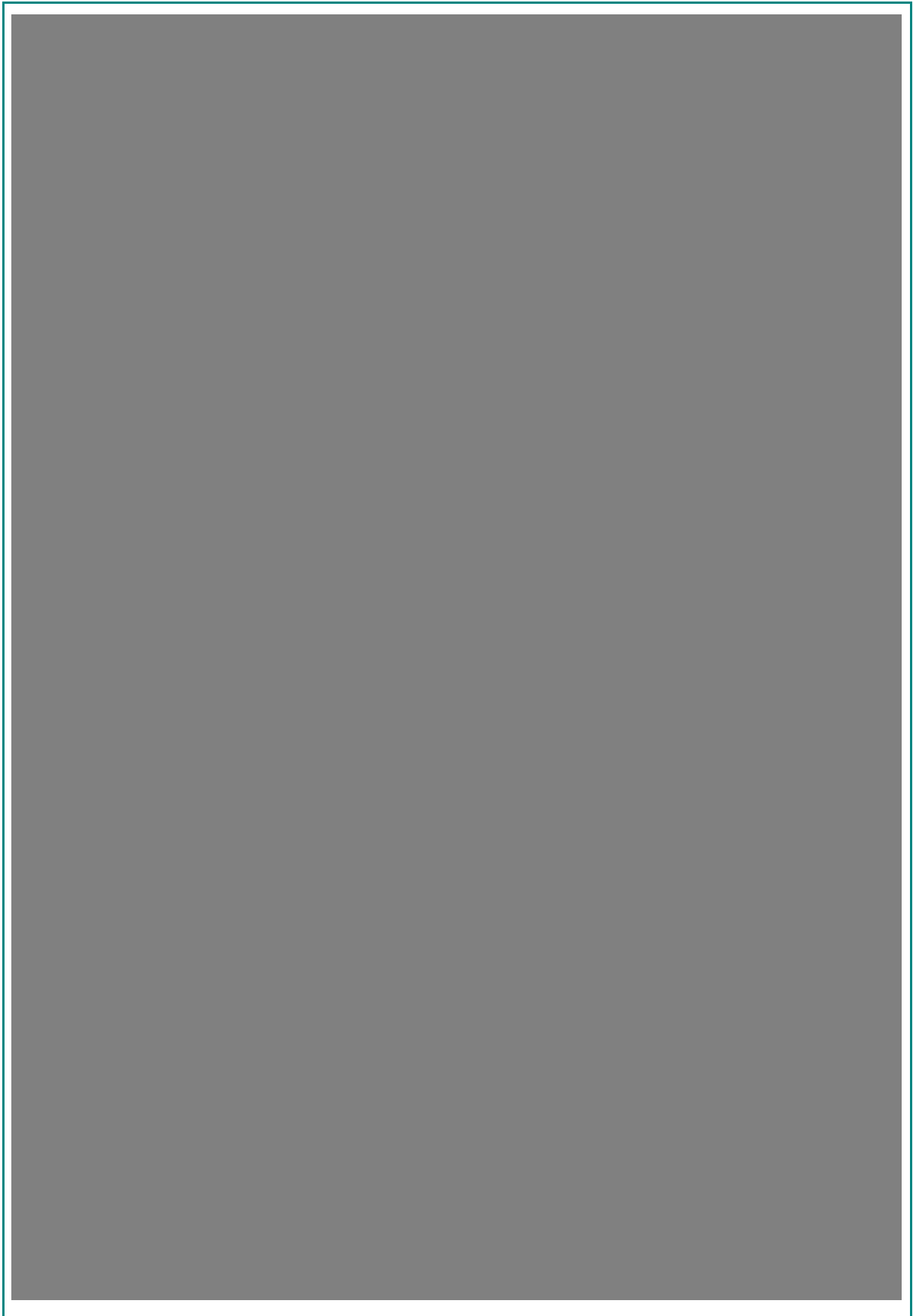


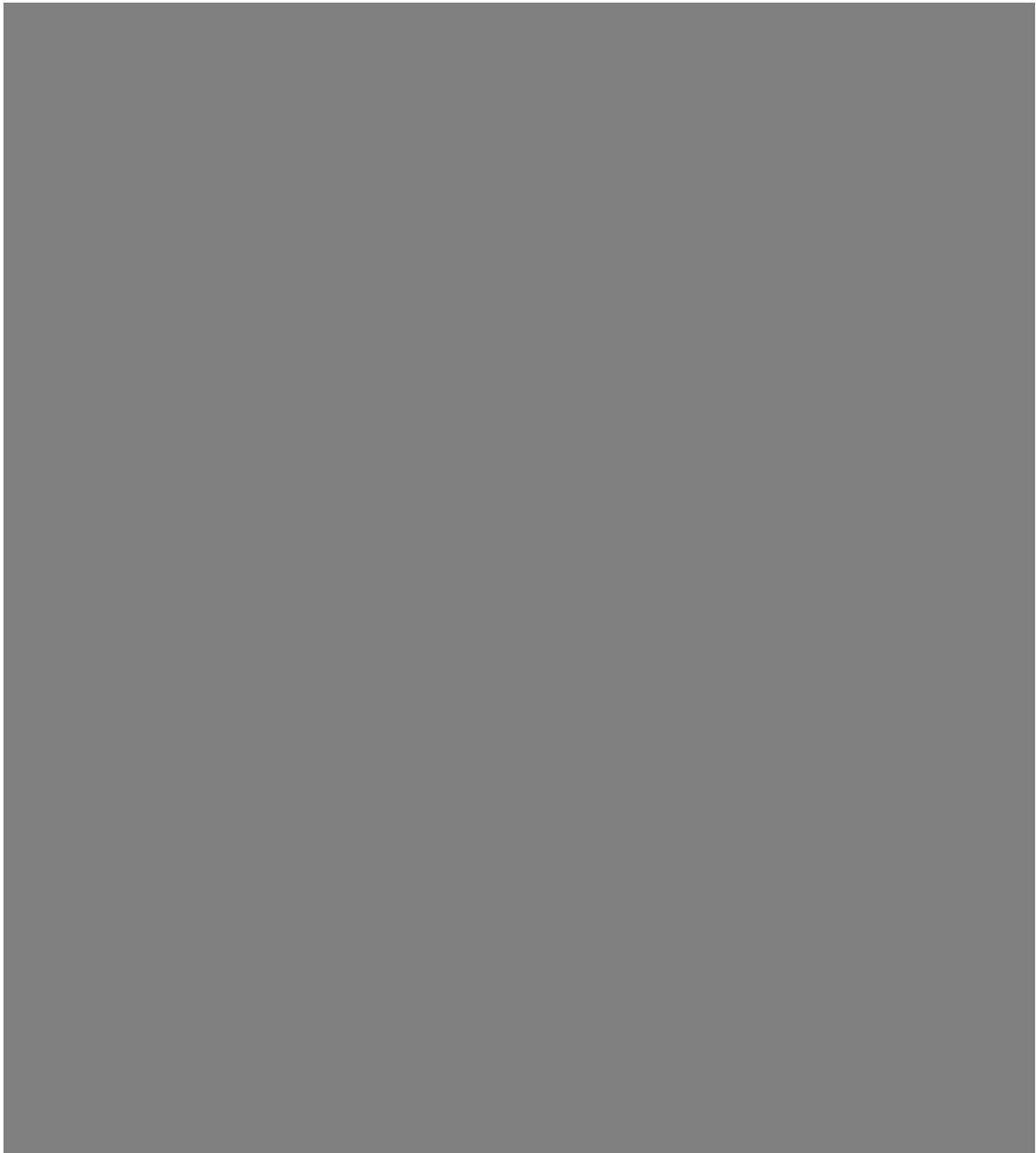
■ [Redacted text block]

[Redacted text block]

[Redacted text block]







Grounds

The case examiners have been presented with the grounds of misconduct in relation to concerns 1 (1.1-1.4 inclusive), 2 (2.1), 3, and 4.

The case examiners are aware that misconduct is generally considered to 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 also 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.

Social Work England: Professional Standards (2019)

1.3 Work in partnership with people to promote their wellbeing and achieve best outcomes, recognising them as experts in their lives.

2.1 Be open, honest, reliable and fair.

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

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

5.2 (Not) behave in a way that would bring into question my suitability to work as a social worker while at work, or outside of work.

5.3 (Not) Falsify records or condone this by others.



The case examiners also consider that the allegations at concern 1, if subsequently found proven by adjudicators, also indicate that the social worker's alleged actions may have posed a risk of harm to vulnerable service users. This risk potentially includes the needs of service users not being appropriately assessed or addressed, with care decisions being made on historical rather than current information, thus putting service users at risk of harm.

Further, the case examiners are aware that the role of a Best Interest Assessor is a specialist role introduced to provide protection for the rights of individuals. The gravity attached to the responsibilities of a Best Interest Assessor mean the role is tightly regulated and those

conducting the role undergo specialist training which is refreshed annually. Assessors are required to operate within statutory frameworks and legislation. Knowingly breaching the required standards is also likely to be considered particularly serious as doing so could lead to the unnecessary and therefore potentially unlawful deprivation of liberty or restrictions on the rights of individuals, and affect their care. There is also the potential for decisions reached by local authorities to be legally challenged and the reputation of a local authority adversely impacted.

Honesty, safeguarding and confidentiality are all fundamental tenets of social work, and the case examiners consider that there is evidence to suggest that the social worker's alleged actions could constitute a significant breach of the required standards with regards to concerns 1 (1.1-1.4) 2 (2.1) and the associated allegations of dishonesty at concern 4 (for concerns 1.1 and 1.2).

The case examiners have considered whether any of the evidence and mitigation presented by the social worker in relation to their health, could explain their actions with regards to concerns 1 and 2, such as to negate a finding of misconduct. [REDACTED]

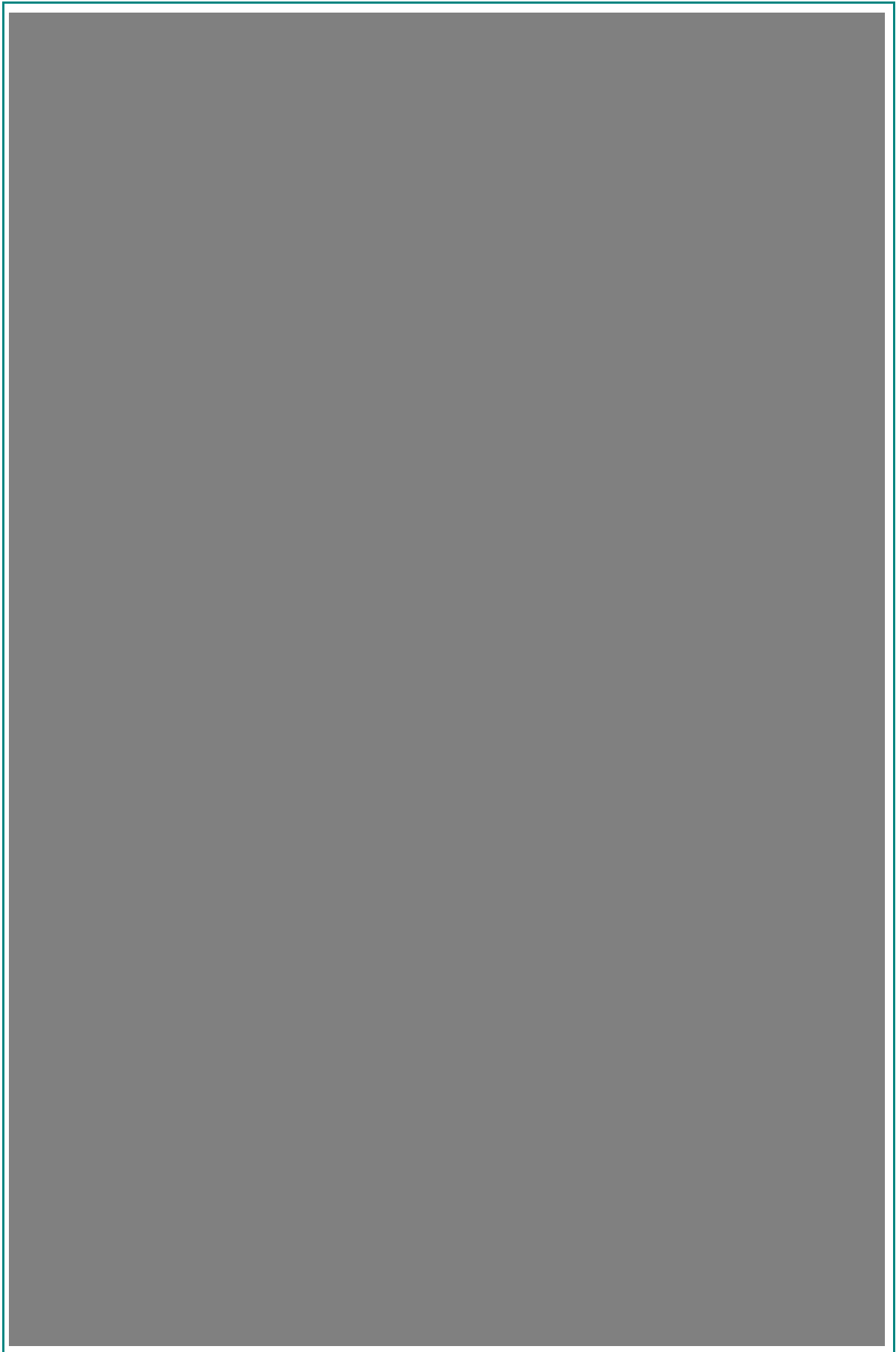
[REDACTED]



There is also no evidence to indicate that the social worker was  at the time the concerns arose   not fit to practise from a health perspective.

The case examiners are therefore satisfied that there is a realistic prospect of the statutory grounds of misconduct being found proven by adjudicators for concerns 1 (1.1-1.4) 2 (2.1) and 4.





Impairment

The case examiners have next considered the question of impairment in relation to those matters that they have found capable of being proven in relation to the statutory grounds.

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 give consideration to 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

Cases involving dishonesty and breaches of trust, can be difficult to remediate as they relate to a social worker's character; however, the case examiners are aware that every case must be treated on its own merits and that a finding of dishonesty need not inexorably lead to a finding of impaired fitness to practise.

Insight and remediation

With regards to this case, the case examiners have noted that the social worker's alleged actions relate to repeated plagiarism in BIA assessments, with the potential to have caused a risk of harm, together with an allegation of a data/confidentiality breach. They are of the view that the social worker's responses demonstrate limited insight and remediation.

While the social worker admits allegation 1 with regards to copying information between assessments, and provides some mitigation with regards to their health and operating during the covid pandemic, their submissions do not address the potential far-reaching impact of 'copying' evidence, or how their actions may have placed service users at risk.

With regards to allegation 2, the social worker suggests that this may have been a matter of poor proof reading, also exacerbated by a health matter, and does not address the implications of incorrectly sharing

confidential information, identifying a vulnerable service user, and breaching data protection policy and legislation. They also do not address the extent of information that the evidence suggests was copied between the two assessments, and the impact on the accuracy and decision making reached.



Risk of repetition

The case examiners have considered the evidence in relation to concerns 1 and 2 indicating that the social worker repeatedly copied information between BIAs over several months, potentially indicating a pattern of poor practice and dishonesty.

In light of the absence of evidence of insight and remediation and the alleged pattern of a breach of a number of key tenets of social work, the case examiners

consider there to be a high risk of repetition in relation to the concerns presented on the grounds of misconduct.



Public element

The case examiners next considered whether the social worker's actions have the potential to undermine public confidence in social workers and whether this is a case where adjudicators may determine that the public interest requires a finding of impairment. Public interest includes the need to uphold proper standards of conduct and behaviour and the need to maintain the public's trust and confidence in the profession.

The case examiners have reminded themselves that the public interest includes responding proportionately to regulatory concerns. They note from their guidance that concerns involving dishonesty are *“likely to be viewed particularly seriously given the access social workers have to people's homes and lives”*; and that *“it is*

essential to the effective delivery of social work that the public can trust social workers implicitly”.

With regards to this case, the evidence presented to the case examiners indicates that the service users whose information was ‘copied and/or pasted’ were particularly vulnerable, and that the social worker’s actions had the potential to impact on care decisions taken in respect of them. They were therefore potentially placed at risk of harm by the social worker’s alleged actions. The case examiners consider that a fully informed member of the public would be very concerned by the alleged conduct in this case.

The case examiners are of the view that both separately and together, the concerns that they have found capable of amounting to misconduct, [REDACTED]

[REDACTED] engage the public interest, such that a fully informed member of the public would expect to see a finding of impairment together with an appropriate sanction.

Accordingly, the case examiners are satisfied that there is a realistic prospect of adjudicators making a finding of current impairment in regard to concerns 1 (1.1-1.4), 2 (2.1) and 4.



The public interest

Decision summary

Is there a public interest in referring the case to a hearing?	Yes	☐
	No	☒

Referral criteria

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

Additional reasoning

The case examiners have carefully considered whether a referral to a hearing may be necessary in the public interest. The case examiners have noted the following:

- There is no conflict in evidence in this case with regards to the alleged actions underlining the key facts, although the social worker denies that their actions were dishonest, and also denies specifically that they informed their employer that they were fit to work, when they were not fit [REDACTED].
- While the social worker denies dishonesty, this is a matter of assessment by the relevant test for dishonesty. The accepted disposal process will provide the social worker with the opportunity to review the case examiners reasoning on dishonesty and reflect on whether they do accept the case examiners' conclusions that the social workers actions in respect of allegations 1.1, 1.2 and 2.1 meet the test for dishonesty in fitness to practice proceedings. It is open to the social worker to reject any accepted disposal proposal and request a hearing if they do not accept the case examiners' findings.

The case examiners are also of the view that the public would be satisfied to see the regulator take prompt, firm action in this case. Furthermore, the publication of an accepted disposal decision will provide a steer to the public and the profession on the importance of adhering to the professional standards expected of social workers in England.



Accepted disposal

Case outcome		
Proposed outcome	No further action	☐
	Advice	☐
	Warning order	☐
	Conditions of practice order	☐
	Suspension order	☐
	Removal order	☒
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

In considering the appropriate outcome in this case, the case examiners had regard to Social Work England's Sanctions Guidance (2022) and reminded themselves

that the purpose of sanction is not to punish the social worker, but to protect the public and the wider public interest.

In considering a sanction, the case examiners have considered mitigating and aggravating factors in this case:

Mitigating

- *The social worker has accepted some of the relevant facts and expressed remorse for their alleged conduct.*

Aggravating

- *The social worker has shown limited insight or remediation into the alleged conduct, and the risk of repetition remains high.*

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

No further action, advice or warning:

With reference to the regulator's sanctions guidance (December 2022), the case examiners noted that in cases where a risk of repetition remains, the outcomes of no further action, advice or warning are not appropriate as they will not restrict the social worker's practice. Whilst

the guidance advises that these outcomes may be considered where there are mitigating factors, the case examiners are satisfied that in this case, given the seriousness of the alleged concerns which include repeated dishonesty and place vulnerable service users at risk of harm, such outcomes remain inappropriate.

Conditions of practice order:

The case examiners next considered a conditions of practice order. The case examiners considered paragraph 114 of the guidance which states:

Conditions of practice may be appropriate in cases where (all of the following):

- the social worker has demonstrated insight.
- the failure or deficiency in practice is capable of being remedied.
- appropriate, proportionate, and workable conditions can be put in place.
- decision makers are confident the social worker can and will comply with the conditions.
- the social worker does not pose a risk of harm to the public by being in restricted practice.

The case examiners are of the view that in light of the social worker having presented limited insight and a lack of remediation, together with an indication that no longer wish to practise as a social worker, proportionate or workable conditions could not be put in place. Furthermore, the case examiners consider that the public interest in this case would require a more serious sanction, so that public confidence could be maintained.

Suspension order:

The case examiners went on to consider whether a suspension order might be an appropriate sanction.

The case examiners have considered the guidance, which states:

Suspension may be appropriate where (all of 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.

The case examiners have therefore also considered the guidance which states a suspension order may be appropriate where workable conditions cannot be formulated.

In this instance, the case examiners consider that as the social worker has shown limited insight and a lack of remediation, and has indicated that they no longer wish to practise, suspension is also inappropriate.

Removal order:

The case examiners therefore went on to consider whether a removal order may be the only outcome sufficient to protect the public, maintain confidence in the profession, and maintain proper professional standards for social workers in England. The case examiners consider that in the circumstances of this case, there is no other outcome available to them that would provide the level of assurance needed in respect of these three criteria.

the case examiners are of the view that [REDACTED] they are able to propose a removal order in relation to those concerns that have presented to them on the statutory grounds of misconduct.

In light of evidence that the social worker's alleged misconduct formed a pattern, and that there is a real risk of repetition, the case examiners conclude that a removal

order is the only sanction available that will safeguard public confidence.

To conclude, the case examiners have decided to propose to the social worker a removal order in relation to their impaired fitness to practise on the grounds of misconduct [REDACTED]. 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.

First response from the social worker

The social worker initially responded to Social Work England on 12 July 2024, suggesting amendments. On 19 August 2024 and 14 October 2024, further responses were also provided via the social worker's representative.

In summary, a number of the requested amendments related to typographical errors, and to areas of the report where the social worker did not agree with the case

examiners' assessment, or wished to provide further clarification on, rather than factual errors.

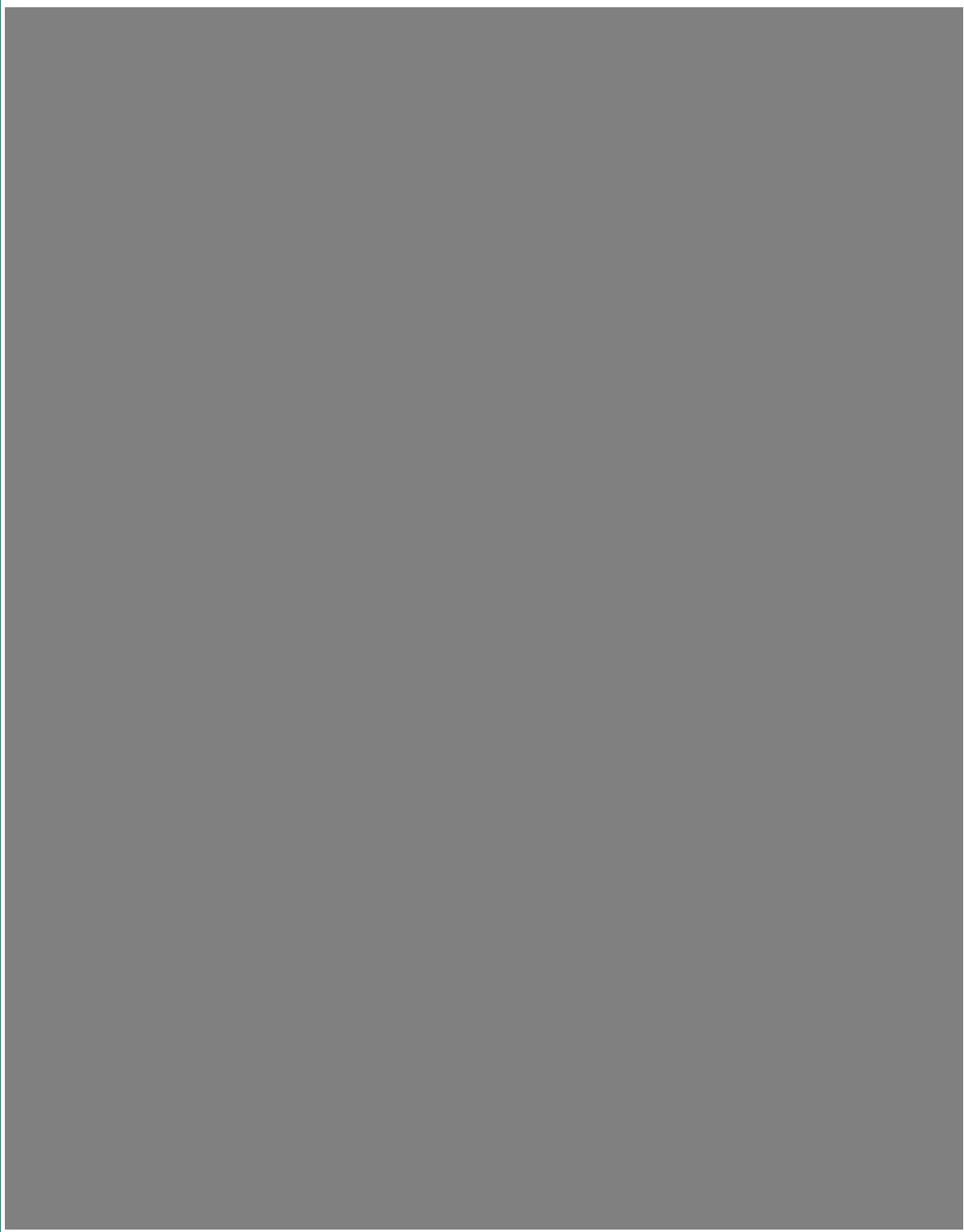


Case examiners' first response and decision

The case examiners have noted the social worker's requests for typographical errors to be amended, and queries regarding matters of factual accuracy.

In response, they have made one amendment to a typographical error, and 





The case examiners have also provided clarity to the social worker regarding one of the cases that they refer, i.e. service user E.



The case examiners, having given the changes requested careful consideration and having responded to them where appropriate, remain of the view that a removal order in relation to the social worker's alleged impaired fitness to practise on the grounds of misconduct only (not health) remains the most appropriate and proportionate outcome. They also note the indication from the social worker's representative that the social worker remains open to the case being concluded by way of accepted disposal.

The case examiners request that the social worker is again notified of their proposed accepted disposal (a removal order) and seek the social worker's agreement to dispose of the matter accordingly.

, the case examiners consider it appropriate to offer the social worker a further 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.

The case examiners note that there is an interim order currently in effect, which will be revoked upon the enactment of any agreed order.

Second response from the social worker

On 5 December 2024 the social worker confirmed that they had read the case examiners' decision and the accepted disposal guide; admitted the key facts set out in the case examiner decision, and that their fitness to practise is impaired; and understood the terms of the proposed disposal of their fitness to practise case and accepted them in full.

Case examiners' second response and final decision

The case examiners concluded that the social worker's fitness to practise was likely to be found impaired, but that the public interest could be met through the accepted disposal process rather than through a public

hearing. They proposed a removal order and the social worker accepted this proposal.

In light of the social worker's acceptance of the removal order, the case examiners have considered again whether there would be a public interest in referring this matter to a public hearing. They remain of the view that this is unnecessary for the reasons set out earlier in the decision.

Having been advised of the social worker's response, the case examiners have again turned their minds as to whether a removal order remains the most appropriate means of disposal for this case. They have reviewed their decision, paying particular regard to 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 an accepted disposal by way of a removal order is a fair and proportionate disposal and is the minimum necessary to protect the public and the wider public interest.