

Case Examiner Decision
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FTPS-21431

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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	
First preliminary outcome	11 October 2024
	Information requested Submissions requested
Second preliminary outcome	9 June 2025
	Accepted disposal proposed - warning order (3 years)
Final outcome	24 June 2025
	Accepted disposal - warning order (3 years)

Executive summary

The case examiners initially paused consideration of the case, requesting additional information and an amendment to the regulatory concerns.

Upon receipt of an updated evidence bundle, the case examiners reached the following conclusions:

1. There is a realistic prospect of regulatory concern 1 (1.1, 1.2, 1.3 and 1.4) being found proven by the adjudicators. There is no realistic prospect of regulatory concern 1 (1.5) being found proven by adjudicators, and this concern has therefore closed at the facts stage.
2. There is a realistic prospect of regulatory concern 1 (1.1, 1.2, 1.3 and 1.4) being found to amount to the statutory grounds of lack of competence or capability.

3. For regulatory concern 1 (1.1, 1.2, 1.3 and 1.4), 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 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 warning order of 3 years duration. The social worker responded confirming their acceptance of the case examiners' proposal.

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. 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.

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	[REDACTED]
Service User B	[REDACTED]
Service User C	[REDACTED]

The complaint and our regulatory concerns

The initial complaint

The complainant	The complaint was raised by the social worker's former employer, Southampton City Council
Date the complaint was received	18 August 2022
Complaint summary	The complainant raised concerns regarding the social worker's practice and competency.

Regulatory concerns

As initially presented to the case examiners

Whilst registered as a social worker between April and August 2022-

1. You failed to meet the required practise standards for your role, in that you:

- 1.1 Lacked awareness of processes
- 1.2 Did not meet/evidence actions and deadlines
- 1.3 Did not plan sufficiently regarding case
- 1.4 Lack of case progression

2. You failed to safeguard service users.

Your actions at regulatory concerns 1 and 2 amount to statutory grounds of misconduct and/or lack of competency.

Therefore, your practise is impaired by reason of your misconduct and/or lack of competency.

As amended by the case examiners

Whilst registered as a social worker:

1. You failed to safeguard service users in that you:

1.1. Lacked awareness of processes

1.2. Did not meet/evidence actions and deadlines

1.3. Did not plan sufficiently regarding your cases

1.4. Did not progress cases adequately



Your actions at regulatory concern 1 amount to the statutory grounds of misconduct and/or lack of competency or capability.

Your fitness to practise is impaired by reason of your misconduct and/or lack of competency or capability.

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

Having reviewed the evidence the case examiners considered that there were preliminary issues that required addressing.

Amendments to the regulatory concerns

The case examiners considered the regulatory concerns as presented to them require amendment. Their reasons were as follows:

- The cases that were presented to them (Service Users A, B and C) appeared to have already been allocated to the social worker when they transferred into their final role with their former employer, which was noted to be on 4 April 2022. The case examiners were of the view that it was the social worker's alleged action(s) that was the key issue, and not the timeframe they are alleged to have occurred in. As such, the case examiners suggested that

this be removed from the regulatory concern. Further, they suggested an amendment to part 1.3 of the concern to make it clear that it is the social worker's allocated cases about which concerns have been raised.

- The case examiners noted that regulatory concern 1 referred to practice standards. The case examiners were mindful that the role of the regulator includes promoting and maintaining proper professional standards, that is, what a social worker in England must know, understand and be able to do. The concern as drafted was not sufficiently clear as to which standards the social worker was alleged to have failed to meet i.e. those set by other bodies such as the former employer, or those of the regulator. Nonetheless, the case examiners noted in accordance with case examiner guidance (2022) that whether a social worker had breached their professional standards is a consideration at grounds. They therefore suggested this was also removed from the regulatory concern.
- The case examiners noted that there was some evidence, by way of case notes, to suggest the social worker progressed cases with the oversight of their manager. The case examiners were of the view the key issue is whether the social worker made adequate progression on their cases while the allocated worker. They therefore made a suggested amendment to 1.4 of regulatory concern 1 to more accurately capture the nature of the concerns.
- Finally, the case examiners considered that regulatory concern 1 and regulatory concern 2 were linked in that they relate to the same service users. They were of the view regulatory concern 2 as currently presented was not clear that this was the case. They therefore suggested amendment by way of an amalgamation of the two concerns as illustrated below.
- The case examiners also made what they considered to be a grammatical amendment to the grounds.

Therefore, the case examiners suggested the regulatory concerns be presented as follows (amendments highlighted in bold):

*1. Whilst registered as a social worker, **you failed to safeguard service users** between April and August 2022-*

~~1. You failed to meet the required practise standards for your role, in that you:~~

1.1 Lacked awareness of processes

1.2 Did not meet/evidence actions and deadlines

1.3 Did not plan sufficiently regarding **your** cases

1.4 **Did not progress cases adequately** ~~Lack of case progression~~

~~2. As a result of your actions at RC1 you failed to safeguard service users.~~

Your actions at regulatory concerns ~~1 and 2~~ amount to the statutory grounds of misconduct and/or lack of competency **or capability**.

Therefore, your practise is impaired by reason of your misconduct and/or lack of competency **or capability**.

The case examiners considered the amendments made to be material, and they therefore referred the case back to investigators so that the social worker could be offered opportunity to make submissions.

Further information

The case examiners were informed that the social worker is subject to an interim conditions of practice order. The case examiners considered there to be further evidence by way of the panel's decision. The case examiners were mindful that while the application and or review of an interim order is a different, risk based, process they were nonetheless of the view that the evidence bundle presented for the adjudicator's consideration, including any submissions, and their decision, may have bearing on this case.

The case examiners were also aware that deputyship/appointeeship is a complex area of practice. The case examiners were of the view that the evidence indicates it was generally acknowledged the social worker required further training and was to arrange to attend the relevant training. The case examiners, however, were unable to determine if the social worker could have attended training and unreasonably failed to do so if the training was not available, or what the social worker was provided with or had access to in the meantime to mitigate this, for example, employer policy or guidance and or evidence of managerial support.

The case examiners therefore requested the following:

- A copy of the interim order decision (and associated evidence where appropriate);
- Copies of policy/guidance or other documentation provided to the social worker regarding:

- The completion of continuing healthcare checklists;
- The completion of Mental Capacity Act assessments, including the requirement for them to be completed on a 3 monthly basis;
- The process of applying for a deputyship/appointeeship.
- Where possible confirmation of the relevant training available to the social worker regarding the above i.e. online or in person, and dates, and a copy of the social worker's training record.

The case examiners were aware of the need to consider cases expeditiously and the need to ensure fairness to all parties. However, the case examiners considered, bearing in mind their investigatory function and statutory duty, that further information was needed to be able to reach a decision on this case.

The case examiners noted the case examiner guidance, which states they should only request further information if it would not be possible to reach a decision without it. They were satisfied that their chosen course of action was consistent with the guidance.

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, 1.2, 1.3 and 1.4) being found proven, that those concerns could amount to the statutory grounds of lack of competence or capability, and that the social worker's fitness to practise could be found impaired.

Reasoning

Facts

Whilst registered as a social worker:

1. You failed to safeguard service users in that you:

In considering regulatory concern 1, the case examiners will first assess whether there is evidence in support of each of the sub-particulars and then, if applicable, consider whether any of those matters supported by evidence might amount to a failure to safeguard service users.

1.1. Lacked awareness of processes

The case examiners are informed by the regulator that regulatory concern 1.1 relates specifically to Service User A. Having independently reviewed evidence supplied by the local authority, which includes case records, the case examiners are satisfied

that there is some evidence to suggest the social worker lacked awareness of processes. The case examiners' key reasoning is as follows:

- Within their submissions to the regulator, the local authority have suggested that the social worker's work with Service User A demonstrated a lack of awareness of necessary processes in Care Act assessments, and in relation to the Mental Capacity Act and deputyship.
- The local authority submit that the social worker did not demonstrate the skills and knowledge needed to protect Service User A from financial harm. Case documentation available to the case examiners appears to support this assertion, with evidence of delay in the social worker navigating financial processes on behalf of Service User A. Most notably, the evidence suggests that Service User A experienced detriment following depletion of funds in December 2021, with action not having been taken in a timely manner to apply for further funding.
- There is also some evidence, from a joint visit, which suggests another professional expressed concern about the social worker's knowledge and confidence around local processes.
- Within their submissions, the social worker accepts regulatory concern 1.1 and explains that they recognise they lacked a detailed awareness of processes. The social worker has provided some explanation for this, which will be explored by the case examiners at a later stage in their decision making.

1.2. Did not meet/evidence actions and deadlines

1.3. Did not plan sufficiently regarding your cases

1.4. Did not progress cases adequately

The case examiners have considered regulatory concerns 1.2, 1.3 and 1.4 together, as there is a significant degree of overlap in evidence relevant to each concern.

Having independently reviewed evidence supplied by the local authority, which includes case records, the case examiners are satisfied that there is some evidence to suggest the social worker did not meet deadlines for actions set (1.2), sufficiently plan progression of the case (1.3), or progress the case adequately (1.4). The case examiners' key reasoning is as follows:

- In reviewing supervision records, along with internal audit findings and performance management documentation, the case examiners noted that

there appear to have been a number of deadlines that were not met in a range of service users' cases. Similarly, it appears the social worker required extensive support in planning their approach across their caseload, and in progressing cases at an appropriate pace.

- With regards to Service User A, as the case examiners have set out under regulatory concern 1.1, they consider the available evidence to suggest Service User A experienced significant detriment following depletion of funds in December 2021, with action not having been taken in a timely manner to apply for further funding. Within submissions to the regulator, the local authority have asserted that the social worker failed to take steps to secure funds and to support with the designation of an appointee and, as a result, there were missed opportunities to protect the service user's finances and to ensure they did not accrue significant, unnecessary debt. The case examiners have reviewed case documentation and agree that there appears to have been substantial delay and drift in this case, with Service User A experiencing unnecessary detriment as a result. In the case examiners' view, the evidence available may suggest the social worker did not meet deadlines for actions set (1.2), sufficiently plan progression of the case (1.3), or progress the case adequately (1.4).
- With regards to Service User B, there appears in the evidence supplied to be a significant delay in the delivery of a mental capacity assessment by the social worker. Audit documentation suggests that when the case was allocated to the social worker in July 2021, a transfer summary recorded that a mental capacity assessment was required. Case documentation suggests an assessment was not completed for over a year, and not until the social worker had been prompted to do so. Supervision records also appear to suggest the social worker may not have taken timely action in relation to urgent deadlines set for exploratory work in respect of concerns raised by a relative. In the case examiners' view, the evidence available may suggest the social worker did not meet deadlines for actions set (1.2), sufficiently plan progression of the case (1.3), or progress the case adequately (1.4).
- With regards to Service User C, case documentation suggests that a relative raised concern with the local authority about a lack of progress. The evidence suggests Service User C was a long-standing allocation for the social worker and, after the case had been re-allocated to another worker, it was noted that a relative of the service user raised particular concern about a lack of action taken by the social worker to address issues Service User C had experienced in accessing their funds. This issue appears to have been known to the social worker, though there is limited evidence to suggest it was addressed. In

addition, there appears to be a delay evident in case records in the social worker reporting a matter of concern about Service User C to the police. In the case examiners' view, the evidence available may suggest the social worker did not meet deadlines for actions set (1.2) or progress the case adequately (1.4).

- Within their submissions, the social worker accepts regulatory concerns 1.2, 1.3 and 1.4. The social worker has provided some explanation for this, which will be explored by the case examiners at a later stage in their decision making.

Consideration of whether regulatory concerns 1.1, 1.2, 1.3 and 1.4 might amount to a failure to safeguard service users

Within their submissions, the social worker has explained that they do not accept that they failed to safeguard service users. However, the case examiners considered that, in reviewing the social worker's reasons, it would appear the social worker has interpreted the inclusion of 'safeguarding' in a relatively narrow manner. While a key element of safeguarding is protecting an adult's right to live in safety, free from abuse and neglect, it also includes making sure that the adult's wellbeing is promoted.

In the case examiners' view therefore, the question before them is broad – essentially, could the actions / lack of actions taken by the social worker have constituted a failure to promote the wellbeing of the service users concerned. In the case examiners' view, adjudicators could reasonably conclude that this was the

case. Across each of the three cases focused upon, there is evidence to suggest service users experienced significant drift and delay. In more than one case, the evidence could reasonably suggest service users experienced harm as a result (for example, financial detriment). In the case examiners' view, adjudicators could reasonably conclude that, as a result, these service users were not adequately or appropriately safeguarded.

In light of the above, there is a realistic prospect of regulatory concern 1 (1.1, 1.2, 1.3 and 1.4) being found proven.

Grounds

This case has been presented on the grounds of misconduct and/or a lack of competence or capability. The case examiners' guidance encourages them to (where possible) identify the appropriate statutory ground to proceed on, as this provides clarity as to the basis of Social Work England's case against the social worker. The case examiners are reminded, however, that in some cases they may not always be in the best position to identify one ground over another. The case examiners will consider each in turn.

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 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)

As a social worker, I will:

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

3.2 Use information from a range of appropriate sources, including supervision, to inform assessments, to analyse risk, and to make a professional decision.

3.3 Apply my knowledge and skills to address the social care needs of individuals and their families commonly arising from physical and mental ill health, disability, substance misuse, abuse or neglect, to enhance quality of life and wellbeing.

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

3.12 Use my assessment skills to respond quickly to dangerous situations and take any necessary protective action.

In the case examiners' view, adjudicators could reasonably conclude that the matters outlined in regulatory concern 1 (1.1, 1.2, 1.3 and 1.4) represent a departure from the professional standards set out above. In each of the three cases focused upon, there is evidence to suggest the social worker lacked necessary knowledge and contributed to significant drift and delay. As set out at the facts stage, there is also evidence of service users having experienced harm as a result.

However, in reviewing the evidence in this case, the case examiners were not left with the impression that the social worker had deliberately failed to progress their work, or that the social worker had knowingly failed to safeguard service users allocated to them. Instead, the evidence appears to suggest the social worker was not able to progress cases in the manner required.

In light of the above, there is no realistic prospect of adjudicators determining that the statutory grounds of misconduct are engaged.

Lack of competence or capability

The case examiners' guidance explains that lack of competence or capability suggests a standard of professional performance which is unacceptably low. It means a social worker has demonstrated that they may lack the knowledge and skills to do their work in a safe and effective manner. This must usually be demonstrated over a fair sample of a social worker's work. There is no set definition of 'fair sample', but it suggests a sample sufficient to show the social worker's usual standard of work over a period of time.

The guidance also explains that single episodes or incidents do not normally suggest a social worker lacks the knowledge or skills to be competent. However, in exceptional circumstances, a single episode or incident could happen because of a lack of knowledge or competence in a fundamental principle of social work. This may raise concerns for public safety.

Looking first at whether the case examiners have access to a fair sample of the social worker's work, the case examiners were mindful that the evidence before them

suggests that at the time of the concerns in this case, the social worker had only a limited caseload. The three cases focused upon in this investigation represented a fair proportion of that caseload and, in any event, the case examiners have noted earlier in this decision that supervisions records and local audits would appear to suggest that the issues highlighted in this case were evident across other cases allocated to the social worker.

As to whether the evidence suggests a standard of performance which is unacceptably low, the case examiners are satisfied that adjudicators could reasonably conclude that this was the case. In reaching this conclusion, the case examiners were mindful that although the evidence suggests the social worker is an experienced worker, the evidence also suggests they were working in an area of social work which was unfamiliar to them, and undertaking tasks they had not done previously. The case examiners noted that social worker accepts that their performance was not of the required standard, and evidence available to the case examiners could reasonably suggest the social worker lacked detailed knowledge and understanding of the processes in which they were operating. The evidence could also suggest the social worker was not capable of progressing cases in a timely manner. The evidence indicates that service users experienced harm as a result.

In light of the above, the case examiners are satisfied that there is a realistic prospect of adjudicators determining that the statutory grounds of lack of competence or capability are engaged.

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 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 concerns can be easily remedied

The case examiners are satisfied that the concerns in this case could be easily remedied through reflection and engagement with relevant training.

Insight and remediation

The case examiners have carefully reviewed the social worker's submissions, along with a number of positive testimonials from other professionals.

Having done so, the case examiners were encouraged by the level of reflection demonstrated by the social worker. It is apparent that the social worker has reflected deeply on the matters before the regulator, and has recognised and accepted that their performance was unacceptably low. The social worker has commented in detail on each of the service user cases that form the focus of this investigation, and highlighted the areas in which they lacked necessary knowledge. The social worker has considered the reasons why they were unable to progress cases, and has provided some information in mitigation. Importantly, however, the social worker has not sought to downplay the impact on service users and it is apparent that the social worker has genuine remorse for any detriment experienced by service users. The case examiners considered, overall, the social worker's insight to be relatively strong.

In terms of mitigation, the case examiners noted the social worker's submission that the concerns in this case ought to be viewed within the following context:

- That the social worker was working within a new role in a different team, but had been expected to 'carry over' a number of cases from their previous role
- The social worker commenced employment with the local authority during the Covid-19 pandemic, which impacted upon knowledge sharing and training
- There were some teething issues with new IT software
- The social worker experienced ill health at the time and, after a period of absence, returned to a caseload that had not been progressed in their absence
- The social worker also experienced difficult personal circumstances at the time, which were known to their employer

The case examiners are satisfied that each of the above mitigating circumstances are genuine. They noted that each appears to be supported in documentation provided by the local authority, and it is apparent that the social worker was open with their employer about the difficulties they were experiencing. The case examiners accept

that these circumstances will likely have had some bearing on the social worker's ability to progress their work.

Risk of repetition

In considering the risk of repetition, the case examiners gave weight to the social worker's level of insight, along with their mitigating circumstances. However, the case examiners were also mindful that the social worker is no longer in practice and, therefore, there is limited evidence available to support an assessment of remediation.

The case examiners considered that adjudicators would likely conclude, in such circumstances, that a risk of repetition remains, albeit substantially reduced.

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.

The case examiners consider the assessment of the public element in this case to be finely balanced. On the one hand, it is possible that well informed members of the public would recognise and appreciate the steps taken by the social worker to reflect upon their performance, and the mitigating circumstances that the social worker experienced at the material time. On the other, it is also plausible that well informed members of the public might expect the regulator to find impairment where a number of service users have experienced personal detriment as a result of poor performance.

In weighing the above, the case examiners took into consideration the substantial delay that service users appear to have experienced in this case, along with evidence from the local authority of significant detriment for at least two of the service users concerned. The case examiners also took into consideration their view that a risk of repetition remains. The case examiners considered that these elements of the case would likely persuade adjudicators that a finding of impairment is required in order to promote public confidence in social work, and to maintain proper professional standards.

In light of the above, there is a realistic prospect of adjudicators determining that the social worker's fitness to practise is impaired.

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 are satisfied that there is no conflict in the evidence available to them.

They note that the social worker disputes that they failed to safeguard service users, but accepts all underlying concerns. However, as the case examiners have set out in this decision, ‘safeguarding’ can have a broader meaning than a direct failure to protect from harm, which could be suggested to be the understanding of the social worker in this case.

In such circumstances, the case examiners consider it reasonable to offer opportunity to the social worker to consider the case examiners’ explanation of what is meant in the context of this case, for example, that drift and delay would constitute a failure to promote the wellbeing of service users, and to determine whether they are able to accept that the matters already admitted amount to a failure to safeguard.

It would be open to the social worker to reject the case examiners' proposal, and proceed to a hearing, should they wish to explore this matter in person with adjudicators.

Accepted disposal

Case outcome

Proposed outcome	No further action	☐
	Advice	☐
	Warning order	☒
	Conditions of practice order	☐
	Suspension order	☐
	Removal order	☐
Proposed duration	3 years	

Reasoning

Having found that a realistic prospect the social worker's fitness to practise is currently impaired, the case examiners then considered what, if any, sanction they should propose in this case. The case examiners have taken into account 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 its regulator, and upholding proper standards of conduct and behaviour.

The case examiners have taken into account 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.

No further action and advice

In considering no further action and advice, the case examiners reminded themselves that their guidance is clear that neither outcome is appropriate where a risk of repetition has been identified. The case examiners were satisfied that, in this

case, neither outcome would therefore be sufficient to maintain public confidence, or to protect the public.

Warning order

In considering a warning order, the case examiners were mindful that the same principle in guidance applies – that is, a warning order will usually be insufficient to protect the public if there is a risk of repetition.

However, the case examiners consider that, in this case, a warning order might be justified and sufficient in the circumstances. The case examiners' key reasoning is as follows:

- In principle, a conditions of practice order could be considered necessary, in order to provide some oversight of the social worker's remediation.
- However, although the case examiners consider that they could formulate appropriate and workable conditions of practice, they are not satisfied that any such conditions would be proportionate.
- This is because the evidence in this case suggests that the social worker has been consistently open about the issues they were experiencing with their performance, and with issues in their personal life that were affecting their work. The social worker has demonstrated an appropriate degree of insight, and has reflected in depth on what went wrong in this case and why. In addition, testimonials attest to the usual good quality of the social worker's performance.
- In light of the above, the case examiners consider that although further remediation may be necessary, in this case, oversight of the regulator of any additional steps the social worker takes to address deficiencies in their practice is not required.

Having determined that a warning order is the minimum necessary outcome, the case examiners went on to consider the length of the order.

Guidance explains that warning orders can be imposed for 1, 3 or 5 years, as set out below:

- 1 year may be appropriate for an isolated incident of relatively low seriousness. In these cases, the primary objective of the warning is to highlight the professional standards expected of social workers

- 3 years may be appropriate for more serious concerns. This helps to maintain public confidence and highlight the professional standards. The period also allows more time for the social worker to show that they have addressed any risk of repetition
- 5 years may be appropriate for serious cases that have fallen only marginally short of requiring restriction of practice. This helps to maintain public confidence and highlight the professional standards. A social worker should ensure there is no risk of repetition throughout this extended period. If successful, there will be no further fitness to practise findings (in relation to similar concerns)

In the case examiners' view, a 1 year order would be insufficient in this case. As the guidance summarised above highlights, 1 year will only usually be appropriate if issues are isolated and of relatively low seriousness. As the case examiners have set out in this decision, the concerns in this case would not appear to be isolated or limited in seriousness.

A 3 year order, however, would appear to the case examiners to be a proportionate outcome in this case. In reaching this conclusion, the case examiners noted that 5 years would usually be required if a case has only fallen marginally short of restriction to practice. However, although the case examiners recognise that this criterion applies, they nevertheless take the view that a 5 year order would be disproportionate in the circumstances, given the mitigating circumstances that have been accepted in this case. A 3 year order would, in the case examiners' view, therefore be sufficient to mark the serious nature of the concerns, and would allow the social worker an appropriate amount of time to address any residual issues of remediation.

The case examiners have decided to propose to the social worker a warning order of 3 years duration. 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 21 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 should accepted disposal be agreed and implemented.

Content of the warning

To practise safely, it is essential for all social workers to ensure they protect and promote people's rights. The case examiners remind you of the importance of working diligently to ensure cases are progressed in a timely manner, and of taking steps to ensure you possess required knowledge of relevant processes. A failure to do so may represent a safeguarding concern, especially if service users experience detriment or harm as a result of drift and delay.

You are reminded of the importance of the following professional standards:

As a social worker, I will:

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

3.2 Use information from a range of appropriate sources, including supervision, to inform assessments, to analyse risk, and to make a professional decision.

3.3 Apply my knowledge and skills to address the social care needs of individuals and their families commonly arising from physical and mental ill health, disability, substance misuse, abuse or neglect, to enhance quality of life and wellbeing.

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

3.12 Use my assessment skills to respond quickly to dangerous situations and take any necessary protective action.

The matters at the heart of this case should not be repeated. Any further similar issues brought to the attention of the regulator are likely to result in a more serious outcome.

Response from the social worker

The case examiners received a completed accepted disposal response form, dated 22 June 2025, which included the following declaration:

I have read the case examiners' decision and the accepted disposal guide. I admit the key facts set out in the case examiner decision, and that my fitness to practise is

impaired. I understand the terms of the proposed disposal of my fitness to practise case and accept them in full.

Case examiners' response and final decision

The case examiners have considered the public interest in this matter and, as they have not been presented with any new evidence that might change their previous assessment, they are satisfied that it remains to be the case that the public interest in this instance may be fulfilled through the accepted disposal process.

The case examiners therefore direct that the regulator enact a warning order of 3 years duration.