

Case Examiner Decision
Bryony Watters – SW126383
FTPS-22513

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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 outcome	15 May 2025
	Accepted disposal proposed - removal order
Final outcome	21 May 2025
	Accepted disposal - removal order

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concerns 1, 2, 3, 4 (4.1-4.4), 5 and 6 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 lack of competence or capability. There is a realistic prospect of regulatory concerns 2, 3, 4 (4.1-4.4), 5 and 6 being found to amount to the statutory ground of misconduct.
3. For regulatory concerns 1, 2, 3, 4 (4.1-4.4), 5 and 6, 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 be notified of their intention to resolve the case with a removal order. 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. Text in [REDACTED] 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.

Child 1	[REDACTED]
Child 2	
Child 3	
Child 4	
Professional A	

The complaint and our regulatory concerns

The initial complaint

The complainant	The complaint was raised by the social worker's former employer, Westmoreland and Furness Council.
Date the complaint was received	10 February 2023
Complaint summary	The social worker's former employer, hereafter referred to as the local authority, have reported concerns about the social worker's record keeping and undertaking visits. During the local authority investigation, concerns also emerged in relation to mileage claims submitted by the social worker, and their honesty. The complaint is accurately reflected by the regulatory concerns below.

Regulatory concerns

As amended by case examiners

1. Whilst registered as a social worker between June 2021 to February 2023 on one or more occasion, you did not maintain accurate and/or up to date records.
2. You entered case recordings for statutory visits to Child 1 and/or Child 2 which did not take place.
3. Your actions at regulatory concern 2 were dishonest.
4. You did not undertake statutory visits within timescales and/or at all in relation to the following:

4.1 Child 3

4.2 Child 2

4.3 Child 1

4.4 Child 4

5. You submitted mileage claims for visits which did not take place.

6. Your actions at Regulatory concern 5 were dishonest.

The matters outlined in regulatory 1 amount to the statutory ground of misconduct and/or lack of competence or capability.

The matters outlined in regulatory concerns 2-6 amount to the statutory ground of misconduct.

Your fitness to practise is impaired by reason of your misconduct and/or lack of competence 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

The case examiners have made the following amendments to the regulatory concerns:

Concerns originally presented to case examiners:

Whilst registered as a social worker between June 2021 to February 2023 on one or more occasion, you did not maintain accurate and/or up to date records.

1. You entered case recordings for statutory visits to Child [REDACTED] and/or Child [REDACTED] which did not take place.
2. Your actions at regulatory concern 2 were dishonest.
3. You did not undertake statutory visits within timescales and/or at all in relation to the following:

4.1 Child

4.2 Child

4.3 Child

4.4 Child

4. You submitted mileage claims for visits which did not take place.

5. Your actions at Regulatory concern 5 were dishonest.

The matters outlined in regulatory 1 amount to the statutory ground of misconduct and/or lack of competence or capability.

The matters outlined in regulatory concerns 2-6 amount to the statutory ground of misconduct.

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

As amended by case examiners

1. Whilst registered as a social worker between June 2021 to February 2023 on one or more occasion, you did not maintain accurate and/or up to date records.
2. You entered case recordings for statutory visits to Child 1 and/or Child 2 which did not take place.
3. Your actions at regulatory concern 2 were dishonest.
4. You did not undertake statutory visits within timescales and/or at all in relation to the following:

4.1 Child 3

4.2 Child 2

4.3 Child 1

4.4 Child 4

5. You submitted mileage claims for visits which did not take place.

6. Your actions at Regulatory concern 5 were dishonest.

These amendments have been made to correct errors in numbering at the beginning of the Case Investigation Report and reflect the numbering further within the report. They have also utilised an anonymisation schedule which reduces the risk of service users being identified. The case examiners are satisfied that the amendments they have made are minor, and they therefore consider it to be unnecessary and disproportionate to delay consideration of the case further by seeking additional submissions from the social worker.

The case examiners have 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 are satisfied that their chosen course of action is 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, 2, 3, 4 (4.1 – 4.4), 5 and 6 being found proven, that those concerns could amount to the statutory grounds of lack of competence or capability and misconduct, and that the social worker's fitness to practise could be found impaired.

Reasoning

Facts

1. Whilst registered as a social worker between June 2021 to February 2023 on one or more occasion, you did not maintain accurate and/or up to date records.

The case examiners have been provided with chronology templates for the children allocated to the social worker, a number of which have been left blank. The former employer states that all the children were required to have up to date chronologies on their file.

The case examiners have also been provided with case notes for children allocated to the social worker. Whilst some of the recorded visits contain detailed information, a number appear to be blank forms with no information recorded.

The social worker accepts this concern, stating they had told their line manager on many occasions that they were struggling to cope with the recording of their work.

The case examiners are satisfied there is a realistic prospect of this regulatory concern being found proven, should the matter go forward to adjudicators.

2. You entered case recordings for statutory visits to Child 1 and/or Child 2 which did not take place.

The case examiners have been provided with evidence from Professional A who worked with Child 1, which states that on 25 January 2023 Child 1 had not been seen by the social worker for many weeks. With regards to whether visits on other dates took place, there is some conflict in the evidence, as Professional A states they had no record of all but one of the visits reported by the social worker, yet one of the disputed visits appears to have been a joint visit with a personal advisor, who confirms this visit took place on 1 November 2022. The case examiners have been provided with case notes where it is recorded by the social worker that they arranged all visits to Child 1 through Professional A, due to the language barrier. This suggests that Professional A would be aware of any visits planned by the social worker.

The evidence from Professional A suggests that several visits recorded by the social worker did not occur. In particular, the case examiners consider there to be cogent evidence to suggest that the visit on 25 January 2023 did not occur, although it was recorded by the social worker. The case examiners have been provided with a case note of the visit completed by the social worker, recording they had visited Child 1 and detailing a conversation held with them. The case examiners have been provided with an email from Professional A on 26 January 2023, stating that they had seen Child 1 in the morning of the following day before they went to college and that Child 1 had “*confirmed with me that he had no contact with his social worker yesterday*”. Given that this email was written the day after the social worker’s reported visit, it is likely that Professional A and Child 1 would have clear memories about this time.

The disciplinary hearing of the former employer records that a translator was not requested on the 25 January 2023, when one was required to communicate with Child 1. The primary evidence for this is not entirely clear; however, there appears to be some confusion about records kept and who requested translation services. The case examiners have therefore not relied upon this evidence.

The social worker denies this concern, but the case examiners are of the view that the evidence of Professional A and their reported conversation with Child 1 is sufficient to suggest that on 25 January 2023 at least, no visit took place despite the recording.

In relation to Child 2, the case examiners have been provided with a case record of a statutory visit by the social worker, dated 8 November 2022. There is no detail in the

record, just a date and description of the type of contact. The case examiners have been provided with a report from the former employer into which is copied and pasted an email from the foster carer of Child 2 dated 14 February 2023. In this email the foster carer states “*non [sic] of us recall [the social worker] visiting in Nov...according to my records [Child 2] was in college until 5pm*”. The case examiners also note that it appears Child 2 had been settled with their carers for some years and so only required visits every 3 months, this may reduce the likelihood of the foster carer being confused about dates and frequency of visits.

The social worker denies this concern and submits they sometimes saw Child 2 without their carer present. However, there is also evidence to suggest that the social worker struggled to visit after 5pm (when Child 2 would have returned from college), particularly for a visit which was some distance from the social worker’s home and office.

The case examiners are satisfied there is a realistic prospect of regulatory concern 2 being found proven, in relation to both Child 1 and Child 2, should the matter go forward to adjudicators.

3. Your actions at regulatory concern 2 were 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).

In relation to the subjective test, the case examiners are of the view that the social worker would know whether they had completed the visits they subsequently recorded. The case examiners note the evidence that the social worker was struggling to keep on top of their case recording and finding some out of authority visits challenging, but there is no evidence that they were unclear about what work they had done. The social worker in their submissions was clear that they would not record a visit they did not complete, which supports the case examiner’s view that the social worker would have known what work they had completed, or not.

In relation to the objective test, the case examiners consider that if the social worker was found in regulatory concern 2 to have knowingly recorded visits which did not occur, ordinary, decent people would view this to be dishonest.

The case examiners are satisfied there is a realistic prospect of regulatory concern 3 being found proven, should the matter go forward to adjudicators.

4. You did not undertake statutory visits within timescales and/or at all in relation to the following:

The case examiners have been provided with the local policy of the former employer, which sets out the frequency of visits required for children who are looked after (CLA). This policy suggests that CLA should be visited on the first day of a placement, then weekly until their first Looked After Review, at intervals no longer than six weeks for the first year of a placement and then at least every three months after this. The policy also states that a child should be visited “*whenever reasonably asked for by a child or foster carer, regardless of placement status*”.

4.1 Child 3

It appears from the case records that Child 3 was living with their mother until 9 September 2022, when they were moved to live with a foster carer by the Emergency Duty Team. According to the visiting policy, the social worker should have visited on the next working day, but no visit is recorded. Child 3 was then moved to another placement on 15 September 2022 and the social worker records a visit on 16 September 2022. It appears the looked after review was planned for 4 October, so there should have been weekly visits until then. However, there are no further visits recorded until 25 November 2022, more than 2 months after the previous visit, despite the placement being new.

It appears that Child 3 was moved to live with their father on 24 December 2022, but no visit to see Child 3 there is recorded until 3 February 2023.

The evidence suggests that the social worker did not undertake statutory visits to Child 3 within the expected timescales.

4.2 Child 2

It appears from the case records that Child 2 was placed in a settled foster home, where they had been since 2017. The local policy would therefore suggest that statutory visits were required every 3 months. The social worker completed records of visits on 9 August 2022 and 8 November 2022 which would have been within timescales, but the November visit is disputed, as discussed in regulatory concern 2. Therefore, if it was found that no visit took place in November, then the evidence suggests that statutory visits to Child 2 would have been out of timescale.

4.3 Child 1

It appears from the case notes provided that Child 1 had recently arrived in the UK when allocated to the social worker. There is reference during a record of a visit on 1 November 2022 to a recent Looked After Review, so it appears that after this date visits would have been required every 6 weeks. It is not clear when the review was and when the frequency of required visits changed. However, the evidence suggests that the social worker asked Child 1 how often they wanted to be seen, and agreed they would visit every two weeks.

A number of the case records of visits provided as evidence are disputed. The undisputed visits from the social worker to Child 1 appear to have occurred on 27 September 2022 and 1 November 2022. Professional A disputes all the other recorded visits, as set out in regulatory concern 2.

Even if the case examiners relied upon the policy for timescales rather than the frequency that appears to have been requested by Child 1, the two visits in September and November would not be sufficient, as the social worker remained allocated to Child 1 until February 2023.

4.4 Child 4

It appears from the case note provided that Child 4 was in a settled placement for many years and so would have required statutory visits every three months. The social worker has recorded visits on 16 August 2022, 7 October 2022 and 26 October 2022. However, on the 19 January 2023, it appears the manager of Child 4's home emailed the social work team and advised that they had not received a visit from the social worker since 16 August 2022. The social worker disputes this, and states they were not aware they had to sign in at the children's home and this is why there is no record of their visits. The case examiners note that even if these visits did take place, it appears there were no further visits to Child 4 from the social worker and one was required in January 2023, to remain within timescales.

The case examiners are satisfied there is a realistic prospect of all elements of this regulatory concern being found proven, should the matter go forward to adjudicators.

5. You submitted mileage claims for visits which did not take place.

The case examiners have been provided with a list of mileage claims, but it is unclear what the journeys were for as the details of the journeys have been redacted. However, the case examiners have also been provided with evidence from the former employer which links to this list, stating that some visits which are suspected to have not occurred have mileage claims against them. Whilst the case examiners have not

been provided with unredacted evidence, they are satisfied that this exists and could be provided to a panel, should the case be referred to a hearing.

The case examiners are of the view that if, as the evidence indicates, the visits discussed in regulatory concern 2 and 4 did not take place, then this would also support the concern that mileage claims were submitted on various dates, for visits that did not take place.

The case examiners are satisfied there is a realistic prospect of this regulatory concern being found proven, should the matter go forward to adjudicators.

6. Your actions at Regulatory concern 5 were dishonest.

The case examiners have again applied the subjective and objective tests for dishonesty, as set out in regulatory concern 3.

In relation to the subjective test, the case examiners are of the view that the social worker is likely to have known when they completed visits and the distances they travelled. The case examiners note again the evidence that the social worker was struggling to keep on top of their case recording, but there is no evidence that they were unclear about what visits they had done.

In applying the objective test, the case examiners are of the view that, if concern 5 was found proven, ordinary, decent people would view submitting mileage claims for visits the social worker knew they had not completed to be dishonest.

The case examiners are satisfied there is a realistic prospect of this regulatory concern being found proven, should the matter go forward to adjudicators.

Grounds

Regulatory concern 1 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 note that the social worker was completing their Assessed and Supported Year in Employment (ASYE) during the period of concern, so was a relatively inexperienced practitioner. The social worker had recently returned from maternity leave and was working part time, in addition to experiencing difficulties with childcare and managing work around this.

The case examiners have been provided with supervision records where it is noted that the social worker was struggling to manage their workload; the social worker expressed difficulties with completing long distance visits which take many hours out of their day. The case examiners are also aware that the social worker had a diagnosis [REDACTED] which they felt impacted upon their ability to manage the demands of their work. Given this evidence, the case examiners consider it likely that adjudicators would find that regulatory concern 1 represents a lack of competence or capability, rather than misconduct.

Regulatory concerns 2 – 6 have been presented on the ground of misconduct only. 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.

To help them decide if the evidence suggests a significant departure, the case examiners have considered the following standards, which were applicable at the time of the concerns.

As a social worker, I will:

2.1 Be open, honest, reliable and fair.

As a social worker, I will not:

5.2 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 Falsify records or condone this by others.

The case examiners note that the requirements for visits to children who are looked after, are set out in legislation, due to their crucial function in ensuring that children are seen, spoken to and any concerns or issues can be dealt with in a timely way. These visits are also part of safeguarding children, ensuring they are seen and there is some scrutiny of the care they are receiving. Without these visits, children who are looked after are at risk of not having their voices heard in care planning and of losing confidence in social workers, who are supposed to advocate for and support them.

The case examiners have acknowledged evidence that the social worker was struggling to manage the demands of their caseload and had communicated this to their line manager, asking to be allocated children who were placed locally. Some of the difficulty appears to be related to the social worker's personal circumstances

[REDACTED]
[REDACTED] Whilst adjudicators may consider this to be mitigation in relation to the

omissions in regulatory concern 4, the case examiners are not of the view that it would justify the allegations of dishonesty relating to creating case records and mileage claims for visits which were not carried out.

The case examiners are of the view that allegations of dishonesty by a social worker, if subsequently found proven, should be viewed as significant and serious misconduct. They note the professional standards guidance (April 2020) which states *‘Where [social workers] are not open and honest, it can put people at risk and may damage confidence in them as a social worker and the social work profession’*.

The case examiners consider that dishonesty in the form of creating records of visits that did not occur, is particularly serious as it has the potential to cause harm to service users, with managers and colleagues believing that interventions have been completed in order to promote and monitor safety.

The case examiners are satisfied that there is a realistic prospect that the social worker’s conduct would be considered by adjudicators to be sufficiently serious as to amount to misconduct.

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 conduct can be easily remedied

The case examiners are of the view that dishonesty is difficult to remediate, as it can be suggestive of a character flaw. This is particularly true when dishonesty is not admitted and as a consequence action has not been taken to demonstrate why the dishonesty occurred and how to prevent recurrence.

In terms of the social worker not visiting within statutory timescales and not recording in a timely manner, the case examiners are of the view that this conduct is remediable. For example, this could be through relevant learning and reflection, through which the social worker could demonstrate they understand what went wrong and how they would deal with a similar situation in the future.

Insight and remediation

The social worker has provided submissions to the regulator which indicate that they understand why the regulatory concerns would be a concern. Their submissions acknowledge that they are relying upon memory for some of their responses, but they maintain that they completed the visits to the best of their recollection.

The social worker details the many challenges they were facing at the time of the concerns, some of which have been previously noted. The social worker submits that they were struggling to manage their case load on part time hours, with significant travelling required for many of the visits. The social worker reflects that they believe insufficient reasonable adjustments were made, to enable them to succeed, and they believe that this has led to them becoming 'burnt out' and currently not fit to practise.

The case examiners acknowledge that it is difficult for social workers to demonstrate insight whilst denying the allegations against them. There is therefore limited insight shown into the concerns about the alleged dishonesty case recording and mileage claim submissions. As the social worker has left practice and does not have any immediate plans to return, they have also been unable to evidence remediation, through current practice or training and learning activities.

Risk of repetition

Due to the limited insight demonstrated and the lack of evidence in relation to remediation, the case examiners are of the view that a significant risk of repetition remains.

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 acknowledge that honesty and integrity are of paramount importance for social workers. A finding of dishonesty undermines public confidence in the profession. The public and other organisations, including employers, need to

be able to rely on social workers to be open and honest in their dealings. The case examiners consider that the public would expect a finding of impairment to be made in a case involving dishonesty by a social worker. It therefore follows that a failure to find impairment could undermine public confidence.

The case examiners consider that there is a realistic prospect of the social worker's fitness to practise being found to be currently 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 have concluded that the public interest in this case is engaged. However, they are satisfied that this interest may be appropriately fulfilled by virtue of the accepted disposal process. Whilst the matter is serious, the case examiners are not of the view that it is so serious that a hearing might be necessary to maintain public confidence in the social work profession, or in Social Work England's maintenance of the standards expected of social workers.

The social worker has indicated to the regulator that while they accept their fitness to practise is currently impaired, they dispute a number of the regulatory concerns. Where a social worker does not accept the key facts, case examiner guidance suggests that a referral to a hearing may be necessary in the public interest. However, the case examiners note that the guidance states the social worker must accept the matter of impairment at the point of *concluding* the case. The case examiners are of the view that this does not prevent them offering accepted disposal prior to this.

The case examiners consider that it is reasonable to offer accepted disposal in this case because:

- The social worker has previously raised concerns about their lack of access to the evidence during the employer investigation. They have now been provided with the evidence bundle from the regulator and the case examiners decision will allow them to understand what evidence has been relied upon.
- The social worker has applied for voluntary removal during the investigation, which suggests that they have no plans to practise in the near future.
- The case examiners are of the view that there is a risk of repetition and that the risk of repetition can be managed. There are a range of sanctions available to the case examiners to satisfy the public that this risk is being managed and would serve to safeguard public confidence. Therefore, there is no need for this matter to be examined within a public hearing.
- The accepted disposal process will provide to the social worker an opportunity to review the case examiners' reasoning on facts, grounds and impairment and reflect on whether they are able to accept the social worker's decision. It is open to the social worker to reject any accepted disposal proposal and request a hearing if they wish to explore the allegations in more detail.

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, with the publication of an accepted disposal decision providing a steer to the public and the profession on the importance of adhering to the professional standards expected of social workers in England.

Furthermore, the case examiners have concluded that the public would support efforts made by the case examiners to resolve this case in a timely and proportionate manner, without the need to refer to a hearing.

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 (December 2022) and reminded themselves that the purpose of a sanction is not to punish the social worker, but to protect the public.

The case examiners have decided that it is not in the public interest to refer this matter to a final hearing and have chosen the least restrictive sanction necessary to protect the public and the wider public interest. They have started at the lowest possible sanction and worked up, testing the appropriateness of each sanction to confirm their decision is proportionate.

The case examiners have already determined there is a realistic prospect that the social worker's fitness to practise would be found impaired. The sanctions guidance advises that if the personal element of impairment is found, "*a sanction restricting or removing a social worker's registration will normally be necessary to protect the public*". The case examiners are therefore led to consider sanctions which restrict the social worker's practice. They note that the guidance suggests it may therefore "*be*

reasonable to move beyond the lower sanctions (no action, advice or a warning) on this basis alone". The case examiners have already determined that they do not consider that the social worker has demonstrated sufficient insight nor remediation. Therefore, the sanctions of no further action, advice or a warning are considered inappropriate on the basis that these outcomes will not restrict practice and therefore not sufficiently protect the public.

The case examiners have then considered a conditions of practice order, however they note the sanctions guidance again which states these orders are less likely to be appropriate in cases of character, attitude or behavioural failings. The case examiners have not been provided with any evidence that the social worker is motivated to remediate, and they are not currently in practice. Furthermore, the case examiners felt this order does not adequately address the serious nature of the alleged misconduct.

The case examiners have considered a suspension order, in order to mark the seriousness of their conduct; however they are of the view that this is not a suitable outcome. They are guided to only consider a suspension order when the social worker has demonstrated some insight and when *"there is evidence to suggest the social worker is willing and able to resolve or remediate their failings"*. The case examiners also note that the conduct described in this decision is extremely serious and they consider that public confidence in the profession could be undermined if a social worker who had been repeatedly dishonest, as alleged in this case, was allowed to continue to practise.

The case examiners have concluded that there is no lesser sanction which could meet the regulators objectives; to protect the public, to maintain confidence in the profession and to maintain proper professional standards for social workers in England. Therefore, they propose that the social worker is removed from the register.

The case examiners 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.

Response from the social worker

The social worker returned a completed accepted disposal response form on 20 May 2025. Within the form, the social worker provided 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 removal order.