

Case Examiner Decision
Alaina Sandford – SW108077
FTPS-22882

Contents

The role of the case examiners	3
Decision summary	4
The complaint and our regulatory concerns	6
Preliminary issues.....	7
The realistic prospect test	8
The public interest	13
Accepted disposal	14

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	16 July 2025
	Accepted disposal proposed - advice (1 year)
Final outcome	28 July 2025
	Accepted disposal - advice (1 year)

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concern 1 being found proven by the adjudicators.
2. There is a realistic prospect of regulatory concern 1 being found to amount to the statutory grounds of adverse physical or mental health.
3. For regulatory concern 1, there is a realistic prospect of adjudicators determining that the social worker's fitness to practise is currently impaired.

The case examiners 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 advice of 1 year duration. The social worker responded on 25 July 2025, 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.

The complaint and our regulatory concerns

The initial complaint

The complainant	The complaint was raised by the social worker's current employer, Norfolk and Suffolk NHS Foundation Trust
Date the complaint was received	30 November 2023
Complaint summary	The complainant reported that they were concerned the social worker was not adequately managing their health and had practised whilst unwell.

Regulatory concerns

The regulatory concerns for this case are as follows:

1. You have a health condition as outlined at schedule 1 that may impair your fitness to practise as a social worker.

Schedule 1



The matter outlined at regulatory concern 1 amounts to the statutory grounds of adverse physical or mental health.

Your fitness to practise is impaired by reason of adverse physical or mental health.

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 concern 1 being found proven, that it could amount to the statutory grounds of adverse physical or mental health, and that the social worker's fitness to practise could be found impaired.

Reasoning

Facts

- You have a health condition as outlined at schedule 1 that may impair your fitness to practise as a social worker.**

Schedule 1



The case examiners have carefully reviewed all available evidence, which includes documentation obtained from the social worker's GP and a number of specialist services.

The case examiners are satisfied, with reference to medical records, that the social worker has the health condition listed in schedule 1. Medical evidence suggests the social worker's condition is likely to relapse and remit over time.

The case examiners are also satisfied that the available evidence suggests the condition may impair the social worker's fitness to practise. The case examiners' key reasoning is as follows:

- A report from a medical practitioner [REDACTED] indicates that on 30 October 2023, the practitioner was concerned following a conversation with the social worker. The practitioner recorded at the time that they had brought this to the attention of their manager as they were concerned that the social worker might not be able to safely carry out their role.
- Medical records indicate that on 5 November 2023, the social worker was particularly unwell. [REDACTED]
[REDACTED]
- Documentation supplied by the social worker's employer indicates that on 8 November 2023, a student nurse working with the social worker expressed concern via email to a manager about the social worker. [REDACTED]
[REDACTED]
- On 10 November 2023, the student nurse along with one of the social worker's colleagues both emailed a manager to express concern about the social worker's judgement and decision making in respect of a patient. Specifically, both parties reported that the social worker had strongly advocated for discharging the patient home, which both parties considered would have placed the patient at risk of harm.
- An adverse incident review conducted by the social worker's employer noted that there were conflicting views as to what had happened (the social worker provided a differing version of events). However, in the case examiners' view, the emails from the student nurse and colleague are sufficiently cogent to support a finding by adjudicators that the social worker's practice may have been affected at a time when medical evidence suggests they were unwell.

In light of the above, there is a realistic prospect of regulatory concern 1 being found proven.

Grounds

With reference to the regulator's health concerns guidance, the case examiners understand that the statutory grounds of adverse physical or mental health may be engaged if:

- There is evidence that a health condition has impacted, or could impact, upon practice
- There is evidence that calls into question the social worker's ability to manage their condition or adequately limit their practice

As the case examiners have set out at the facts stage, they are satisfied that there is some evidence to suggest the social worker's health condition has impacted upon their practice. The case examiners note also that the social worker accepts that the health condition listed in schedule 1 can impact upon their practice [REDACTED]

With regards to the social worker's ability to manage their condition or adequately limit their practice, the case examiners noted that there is evidence available to them to suggest the social worker has not adequately done so in the past. Most notably, the available evidence suggests that in November 2023, when concerns were raised by colleagues about the social worker, medical records suggest the social worker was particularly unwell. Although there is some evidence to suggest the social worker had discussed a dip in their health with their manager in a supervision, the case examiners consider the available evidence to suggest the social worker may have minimised the ill health they were experiencing. The case examiners noted in particular that a medical practitioner had recorded, a few days prior to the social worker's supervision, that they were concerned that the social worker might not be able to safely carry out their role.

In light of the above, the case examiners are satisfied that there is a realistic prospect of adjudicators determining that the statutory grounds of adverse physical or mental health are engaged.

Impairment

Assessment of impairment consists of two elements:

1. The personal element, established via an assessment of the social worker's capacity to self-manage their condition and limit their practice as necessary to protect the public.

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 reference to the regulator's health concerns guidance, the case examiners are reminded that where the available evidence suggests a social worker's health may relapse and remit, the core issues for the case examiners to consider is the social worker's capacity to self-manage their condition and limit their practice as necessary to protect the public.

In assessing these issues, the case examiners will consider the social worker's insight, which includes consideration of whether the social worker can recognise the onset of symptoms of illness, act appropriately by limiting or stopping practising as necessary, and fully engage with whatever protective and supportive measures are in place to manage their condition.

The case examiners' considerations

The case examiners commenced their consideration with reference to the most recent medical evidence available to them, which is dated February 2025. The case examiners noted that the social worker has been discharged, having engaged well with a treatment plan and support offered to them. The discharge letter is clear that the social worker worked hard to improve their health [REDACTED]

The case examiners were reassured by this evidence, which they consider to suggest the social worker's health condition is likely currently in remission. The case examiners consider also that this evidence is a positive demonstration of the social worker's commitment to engaging meaningfully with treatment and support to manage their health. The case examiners commend the social worker for the work they have undertaken in this area.

With regards to insight, the case examiners noted that the social worker has recently produced an updated wellness plan with their employer, which sets out the signs of a relapse of their condition. The plan also sets out expectations and requests for both the social worker and their employer in such circumstances. The case examiners consider the plan to suggest the social worker has a degree of insight into the symptoms that might indicate a relapse, and a degree of understanding as to what is required of them in relation to limiting practice in such circumstances.

The case examiners noted, however, that although the social worker's current manager has provided a broadly positive report to the regulator, they have raised some residual concerns in respect of the social worker leaving work without updating anyone about their whereabouts. The manager also references a period of absence, and expresses some concern that the social worker did not communicate candidly upon their return about the level of medical intervention and support that had been required, making it difficult for the employer/manager to assess the social worker's readiness for work. The case examiners consider such candour to be pivotal to the question of insight as, without clear and transparent communication with employers, the social worker's health condition could reasonably pose a risk to the public that cannot be fully assessed or addressed.

The case examiners' conclusions

In considering the above in the round, it is the case examiners' view that adjudicators could reasonably conclude that although the social worker has taken significant and commendable steps towards managing their health, a level of risk remains (albeit 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.

In the case examiners' view, well informed members of the public would likely be reassured by the steps the social worker has already taken to demonstrate management of their health. However, the public might expect that the regulator find impairment where residual concerns remain in respect of the social worker's candour about their health with their employer, particularly given the social worker's discharge is relatively recent. The case examiners therefore consider that a failure to find impairment could undermine public confidence in the social work profession, and the maintenance of proper standards for social workers.

Accordingly, 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 note that the social worker accepts the key facts in this case and there is no conflict in the evidence available. The case examiners consider that the public interest in this case could be satisfied through the accepted disposal process, which would facilitate a prompt conclusion to proceedings.

The case examiners are aware that the social worker does not accept that their fitness to practise is currently impaired, but they consider they may nevertheless reasonably offer the social worker opportunity to consider the case examiners' reasoning in respect of impairment, and determine whether they would be open to an accepted disposal of this case. It would be open to the social worker to request a hearing if they wish to explore the question of impairment 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	1 year	

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 and health concerns 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 the maintenance of proper professional standards for social workers.

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.

Consideration of whether a restrictive sanction might be necessary

The case examiners are mindful that the outcomes of no further action, advice and warning order do not directly restrict practice. The regulator's decision making guidance is clear that such outcomes are therefore not usually appropriate where there is a current risk to the public.

In this case, the case examiners have concluded that although the social worker has taken substantial steps towards management of their health, a level of risk remains. The regulator's guidance would therefore suggest that a restrictive sanction may be necessary, in order to protect the public.

However, in the case examiners' view, on this occasion a restrictive sanction would be disproportionate. The case examiners' key reasoning is that the evidence before them suggests that not only has the social worker been particularly pro-active over the past 12 months in engaging with treatment and support, they are also working within a supportive work environment.

The case examiners noted that the social worker's manager has been clear that the social worker competently meets the requirements and responsibilities of their role, and states that the social worker's practice is "safe, robust and responsive".

Although the social worker's manager has expressed some residual concerns in respect of the social worker's communication about their health, the case examiners consider there is available evidence to suggest the social worker is generally open and willing to continue to improve their management of health. The evidence also suggests the social worker's employer is committed to supporting the social worker in doing so.

In such circumstances, the case examiners consider that ongoing oversight of the social worker's health can safely be maintained at a local level, without the need for enhanced regulatory oversight. The case examiners consider that the publication of a regulatory decision, along with a non-restrictive outcome, would offer a suitable degree of safeguard, should the social worker move employment.

No further action

The case examiners understand that an outcome of no further action is expected to be rare. The regulator's guidance explains that it is possible in cases where the finding of impairment itself is enough to protect the public or address the public interest.

In the case examiners' view, they could not justify an outcome of no further action in this case. This is because the case examiners consider there to be a need to remind the social worker of the importance of clear and transparent communication with their employers about their health.

Advice or warning order

The case examiners consider that either advice or a warning order might be suitable in this case. Both would provide a platform for the case examiners to make clear the regulator's expectations of the social worker in respect of their health.

The case examiners note that their guidance explains that advice will usually set out the steps the social worker should take to avoid any repetition of concern, whereas a warning order would serve as a signal that the social worker would be highly likely to receive a more severe outcome if further, similar concerns were to be raised.

The case examiners consider that, in principle, a warning order could be considered necessary in this case, in order to make clear to the social worker that if further concerns are raised with the regulator about their health, it is likely that restriction to practice would be required. However, the case examiners consider that in this case, they can reasonably make this point through an outcome of advice. The case examiners further consider that advice could reasonably be viewed as a more proportionate outcome in the circumstances, given the substantial work the social worker has already undertaken to better manage their health.

In light of the above, the case examiners are satisfied that the minimum necessary outcome in this case is advice.

Length of the proposed outcome

The case examiners can propose that advice will remain on the register for 1, 3 or 5 years. The case examiners are expected to impose the shortest necessary period, only moving on to a longer period if the shorter is insufficient.

The case examiners are satisfied that in this case, advice of 1 year duration would be sufficient to protect the public and to protect the public interest. The case examiners consider this to be the case because the evidence before them suggests the social worker has already worked hard over a period of 18 months to better manage their health, culminating in a recent discharge from specialist support services. The case examiners also consider the available evidence to suggest the social worker is working with their employer to ensure appropriate mechanisms are in place to manage any potential impact of the social worker's health on their practice. In such circumstances, the case examiners consider that a period of 1 year would be sufficient, in order to provide a degree of regulatory safeguard.

The case examiners have decided to propose to the social worker advice of 1 year 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.

Content of the advice

You are reminded of the importance of managing your health in the interests of public protection.

You are commended by the case examiners for the work you have already undertaken to better manage your health and you are advised to continue to engage with treatment and support.

You are advised of the importance of being open and transparent with employers about your health, particularly at the onset of symptoms and upon return to work after periods of absence. This is to ensure that employers can provide you with an appropriate level of support and take steps if necessary to make sure that you are practising safely in the interests of public protection. You are advised to work collaboratively with your employer to ensure you limit your practice where necessary and you have access to appropriate support when needed.

Any further concerns of a similar nature reported to the regulator may undermine the case examiners' assessment of risk and insight and may lead to a more severe sanction.

Response from the social worker

On 25 July 2025 the social worker returned their completed accepted disposal response form, confirming the following:

'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 case may be fulfilled through the accepted disposal process.

The case examiners therefore direct that the regulator enact advice, with a duration of 1 year.