



Case Examiner Decision

Tapiwa Felix Manyeku -

SW154453

FTPS-23690

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.....	9
The public interest.....	14
Accepted disposal	16

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	20 January 2026
	Accepted disposal proposed - warning order (1 year)
Final outcome	3 February 2026
	Accepted disposal - warning order (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 ground of conviction or caution in the UK for a criminal offence.
3. For regulatory concern 1, there is a realistic prospect of adjudicators determining that the social worker's fitness to practise is currently impaired.

The case examiners 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 was notified of their intention to resolve the case with a warning order of 1 year.

The case examiners were subsequently informed that the social worker had agreed to this proposal, accepting its terms full. Having again reviewed their decision, the case

examiners have concluded that an accepted disposal by way of a warning order of 1 year's duration remains a fair and proportionate disposal, and the minimum necessary to maintain public confidence in the social work profession and to maintain proper standards for social workers.

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.

The complaint and our regulatory concerns

The initial complaint

The complainant	The complaint was raised by way of a self-referral by the social worker
Date the complaint was received	26 July 2024
Complaint summary	The social worker referred themselves to Social Work England after being convicted of an alcohol-related driving offence in July 2024.

Regulatory concerns

Regulatory concerns as amended by the case examiners

Please note that amendments are highlighted in bold text and the reason for amendments is given in the 'preliminary issues' section of this decision.

Regulatory concern 1

While registered as a social worker, on or around 25 July 2024, you were convicted of **driving a motor vehicle while over the prescribed alcohol limit.**

Grounds of impairment:

The matter outlined at regulatory concern 1 amounts to the statutory ground of conviction or caution in the UK for a criminal offence.

Your fitness to practise is impaired by reason of conviction or caution in the UK for a criminal offence.

Preliminary issues

Investigation		
Are the case examiners satisfied that the social worker has been notified of the grounds for investigation?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
Are the case examiners satisfied that the social worker has had reasonable opportunity to make written representations to the investigators?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>

Requests for further information or submissions, or any other preliminary issues that have arisen

Amendments to the regulatory concerns

The regulatory concern was initially presented to the case examiners as follows:

Regulatory Concern 1

While registered as a social worker, on or around 25 July 2024, you were convicted of the offence of drive motor vehicle when alcohol level above limit.

The case examiners consider that the regulatory concern, as presented to them, is grammatically incorrect, therefore, they have amended the regulatory concern as per the regulatory concerns section (above).

The case examiners are satisfied that the amendments they have made are minor, and they therefore considered it to be unnecessary and disproportionate to delay consideration of the case further by seeking additional submissions from the social worker.

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 the concern could amount to the statutory ground of conviction or caution in the UK for a criminal offence and that the social worker's fitness to practise could be found impaired.

Reasoning

Facts

Regulatory concern 1

It is alleged that on or around 25 July 2024, the social worker was convicted of **driving a motor vehicle while over the prescribed alcohol limit.**

The case examiners have been provided with evidence that includes the following:

- A self-referral to Social Work England from the social worker.
- A notice of a disqualification from driving, dated 25 July 2024.
- An MG4 charge sheet, dated 23 June 2024.
- An MG5 police report.

- An M611 witness statement, dated 24 June 2024.
- A court extract (dated 25 July 2024), confirming the conviction, and stating that on 23 June 2024, the social worker drove a motor vehicle after consuming so much alcohol that the proportion of it in their breath, namely 70 microgrammes of alcohol in 100 millilitres of breath, exceeded the prescribed limit.

The case examiners have reviewed the evidence referred to above which demonstrates that the social worker was convicted on 25 July 2024 for the offence captured by the regulatory concern.

The social worker does not dispute that they were convicted as cited by the regulatory concern.

Accordingly, the case examiners have concluded there is a realistic prospect that regulatory concern 1 would be found proven by adjudicators.

Grounds

This case has been presented on the ground of conviction or caution in the UK for a criminal offence.

The case examiners have had sight of a court extract, which confirms the social worker was convicted of driving a motor vehicle while over the prescribed alcohol limit.

Accordingly, the case examiners are satisfied that there is a realistic prospect of adjudicators finding that the regulatory concern amounts to the statutory ground of conviction or caution in the United Kingdom for a criminal offence.

Impairment

Having concluded there is a realistic prospect of adjudicators establishing the statutory ground of a conviction or caution in the United Kingdom for a criminal offence, the case examiners must consider whether there is a realistic prospect of adjudicators finding current impairment.

Assessment of impairment consists of 2 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 satisfied that although the alleged conduct in this case is serious, it could nevertheless be remedied, for example, via a demonstration of significant reflection and wider insight, along with engagement with relevant courses and education.

In their view, the conduct is not fundamentally incompatible with continued registration, and the evidence does not suggest any deep-seated character or attitudinal failing.

Testimonials

Testimonials that provide up to date, credible information about the social worker's current practice can be relevant when exploring current impairment. Testimonials are most helpful when they come from people with knowledge of the social worker's practice or character. The case examiners have had sight of comments provided by the social worker's current employer who states as follows:

“[the social worker] is a valued member of our team and has worked hard to not let [their] conviction have any bearing on [their] ability to provide care and treatment for our service users. [the social worker] has kept managers informed at all stages and has been open and transparent. As a manager I have no concerns with regards to [the social workers] conviction and feel that this has given [them] insight into difficulties that others may face.”

Insight and remediation

In this instance, the case examiners are satisfied that the social worker:

- Admits the key facts.

- Understands what led to the events which are the subject of the concern.
- Recognises what went wrong.
- Accepts their role and responsibilities in relation to the events and appreciates what could (and should) have been done differently.
- Appears genuinely remorseful.

For example, in their self-referral to Social Work England, the social worker apologises and expresses remorse for their actions, noting the potential harm that could have been caused, and they state that they take full responsibility.

The case examiners also note that the social worker has provided comprehensive submissions to the regulator, in which they again express their remorse, and in which they reflect on the importance of maintaining a high standard of conduct; consider the potential harm that could have been caused; reflect on their personal context, including what they could and should have done differently; and describe remedial steps which they have taken, including the completion of a rehabilitative course in respect of the Road Traffic Offenders Act 1988 for drink-drive offenders (the case examiners note that the social worker, in their final submissions to the regulator, has also referred to their learning from this course).

Risk of repetition

Having concluded that the social worker has demonstrated insight and has provided evidence of remediation, the case examiners have concluded that the risk of repetition is low.

The case examiners also highlight there is no evidence before them to suggest the social worker has any health issues in respect of alcohol that may have been a contributing factor to their conviction, or that may impact the risk of repetition.

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.

When considering the public element of impairment, the case examiners have had regard to their drink and drug driving policy (December 2022) which provides guidance in respect of factors to be considered when assessing seriousness.

In this instance, the case examiners have identified the following:

Aggravating factors

- The sentence imposed includes a period of disqualification from driving of 18 months, which was reduced by 18 weeks after successful completion of the drink driving rehabilitation course. The evidence confirms the social worker successfully completed the course on 9 February 2025.
- There is evidence of an unacceptable standard of driving by the social worker. The evidence confirms that the police were alerted to the social worker's car because they were driving very slow with a car close behind them flashing them to move or speed up.
- The social worker's level of alcohol was at least twice over the legally specified limit.

Mitigating factors

- The case examiners have not been provided with any information to suggest the offence is a repeat offence.
- In both their self-referral to Social Work England and their submissions to Social Work England, the social worker has demonstrated remorse and insight in relation to the offending behaviour.
- Testimonials provided by the social worker indicate that they are otherwise of good character.
- There is evidence that the social worker has undertaken voluntary remediation in the form of a relevant driving course.

Whilst the case examiners have identified several mitigating factors, they have also identified aggravating factors, and they note that the social worker's actions posed a risk of harm to themselves, their passengers, and the general public.

As such, the case examiners are satisfied that adjudicators may find that public confidence would be undermined, and that proper standards for social workers would not be maintained, if a finding of impairment were not made.

Accordingly, having considered both the personal and public elements, the case examiners have concluded there is a realistic prospect of adjudicators finding the social worker's fitness to practise to be currently impaired.

The public interest

Decision summary

Is there a public interest in referring the case to a hearing?	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>

Referral criteria

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

Additional reasoning

Case examiner guidance states that if the case examiners have found there is no public interest in the case being referred to a hearing, they may then consider whether an accepted disposal may be appropriate (paragraph 181).

The guidance goes on to state that for a case to be concluded through accepted disposal, the social worker must accept the key facts and that their fitness to practise is currently impaired.

In this instance:

- There is no conflict in the evidence that requires resolving at a hearing.
- The social worker accepts the key facts.
- The social worker accepts that they are currently impaired.
- 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.

Consequently, the case examiners have determined that accepted disposal is the appropriate outcome in this case.

Interim order

An interim order may be necessary for protection of members of the public	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>
An interim order may be necessary in the best interests of the social worker	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>

Accepted disposal

Case outcome

Proposed outcome	No further action	<input type="checkbox"/>
	Advice	<input type="checkbox"/>
	Warning order	<input checked="" type="checkbox"/>
	Conditions of practice order	<input type="checkbox"/>
	Suspension order	<input type="checkbox"/>
	Removal order	<input type="checkbox"/>
Proposed duration	1 year	

Reasoning

The case examiners are satisfied there is a realistic prospect of the regulatory concerns being found proven by adjudicators. Furthermore, they found a realistic prospect that the concerns, if proven, could amount to the statutory ground of conviction or caution in the UK for a criminal offence.

The case examiners have also found a realistic prospect that adjudicators could find the social worker's fitness to practise is currently impaired.

In considering the appropriate outcome in this case, the case examiners had regard to Social Work England's Sanctions Guidance (2022) and reminded themselves that the purpose of sanctions is not to punish the social worker, but to protect the public and the wider public interest.

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

No further action

The case examiners first considered taking no further action. In doing so, the case examiners were mindful of their drink and drug driving policy, which states that 'In the absence of any aggravating factors, a drink or drug driving conviction is unlikely to require a finding of impairment or a sanction to be imposed'. However, as noted above, the case examiners have identified several aggravating factors. As such, the case examiners are not satisfied that a finding of no further action would mark the

seriousness with which they view the alleged conduct. In addition, the case examiners are not satisfied that a finding of no further action would satisfy the wider public interest.

Advice or warning

The case examiners next considered whether offering advice or a warning order would be sufficient. Advice will normally set out the steps a social worker should take to address the behaviour that led to the regulatory proceedings. The case examiners believe that issuing advice is not sufficient to mark the seriousness with which they view the alleged conduct or satisfy the wider public interest.

The case examiners next considered issuing a warning order. According to their sanctions guidance (paragraph 107), 'a warning order shows clear disapproval of the social worker's conduct or performance. A warning order is a signal that the social worker is highly likely to receive a more severe sanction if they repeat the behaviour'.

The sanctions guidance goes on to state that a warning order is likely to be appropriate where the fitness to practise issue is isolated or limited; and there is a low risk of repetition; and the social worker has demonstrated insight.

The sanctions guidance also notes that decision makers should consider issuing a warning order where they cannot formulate any appropriate or proportionate conditions of practice and a suspension order would be disproportionate.

In this instance, the case examiners have concluded that the issue is isolated in nature, that the social worker has demonstrated insight, and that the risk of repetition is low. As such, the case examiners concluded that a warning order is the most appropriate and proportionate outcome in this case and represents the minimum sanction necessary to sufficiently mark the seriousness with which the case examiners view the social worker's conduct. In addition, case examiners have concluded that a warning order represents the minimum sanction necessary to uphold professional standards, to protect the public and the wider public interest.

Finally, the case examiners note that a warning order will serve as a signal that any repetition of the behaviour that led to the concerns is highly likely to result in a more severe sanction.

The case examiners did go on to consider whether a conditions of practice or suspension order, were more appropriate in this case.

Conditions of practice orders protect the public while the social worker takes necessary steps to remediate their fitness to practise and may be suitable when

appropriate, proportionate, and workable conditions can be put in place. However, in this instance, the social worker has already taken necessary steps to remediate, and the case examiners are not satisfied that conditions of practice would be appropriate or workable given the nature of the alleged conduct. The case examiners note that the alleged conduct took place outside of the workplace and in the social worker's personal life, therefore conditions on their practice would not be appropriate. Furthermore, the case examiners consider that suspension would be a disproportionate and punitive sanction, given that the social worker has undertaken remediation and engaged with the regulator and that the alleged conduct does not fall marginally short of removal.

Having concluded that a warning order is the most appropriate and proportionate outcome in this case, the case examiners went on to consider the duration of the order.

Warning orders can be imposed for 1, 3, or 5 years. The case examiners are satisfied that in this case a 1-year warning order would be sufficient to mark the seriousness of the conduct in question.

In reaching this conclusion, the case examiners referred to the sanctions guidance and noted that the guidance states that such a period 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.

The case examiners are of the view that, whilst driving a motor vehicle while over the prescribed alcohol limit is inherently serious, the specific details of this case are of relatively low seriousness in the context of the offence. For example, whilst the social worker's standard of driving was deemed to be unacceptably low, they were not involved in a collision, and no one was injured.

Whilst the case examiners acknowledge that it was good fortune rather than good judgment that resulted in no harm being caused by the social worker's actions, they are of the view that if the alleged conduct had resulted in a collision and/or actual harm to members of the public, it would be considered to be relatively more serious.

Having considered all the aspects of this case, the case examiners are satisfied that a 1-year warning is sufficient to protect the public, and to maintain professional standards.

To test this position, the case examiners considered the guidance in respect of a 3-year order, which may be appropriate for more serious concerns and allows more time for the social worker to show that they have addressed any risk of repetition; and

a 5-year order, for where a case has fallen only marginally short of requiring restriction of practice.

Whilst the case examiners have concluded that the offence is serious, the context around the offending is considered to be of 'relatively low seriousness' in line with the guidance having considered the aggravating and mitigating factors. The case examiners note that in this case there are more mitigating factors than aggravating factors. The case examiners have also concluded that there is a low risk of repetition, and the social worker has provided extensive insight and remediation. Therefore, the social worker does not need more time to remediate as noted in the guidance for 3-year warnings.

The case examiners do not consider that the matter fell marginally short of the need to restrict practice, and therefore 5 years would be disproportionate and punitive.

To conclude, the case examiners have decided to propose to the social worker a warning order 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 14 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 warning

The case examiners formally warn the social worker as follows:

Driving whilst under the influence of alcohol is a serious criminal offence. Your decision to drive on the occasion that led to your conviction demonstrated a serious lack of judgement. You put yourself and members of the public at risk of harm.

Your conviction could have an adverse effect on the public's confidence in you as a social worker. It may also damage the reputation of the social work profession.

The case examiners remind the social worker of the following Social Work England professional standards (2019):

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.

This conduct should not be repeated. Any further criminal offences or matters brought to the attention of the regulator are likely to result in a more serious outcome.

Response from the social worker

The social worker submitted a completed accepted disposal response form on 2 February 2026, 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 note that the social worker has accepted the proposed disposal as outlined by them. The case examiners have considered the public interest in this matter. They have reviewed their decision, paying particular regard to the overarching objectives of Social Work England, i.e. the protection of the public, the maintenance of public confidence in the social work profession, and the maintenance of proper standards.

They have not been presented with any new evidence that might change their previous assessment and therefore remain satisfied that the public interest in this instance can be fulfilled through the accepted disposal process.

The case examiners therefore direct that the regulator impose a warning order (1 year).