

Case Examiner Decision
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FTPS-22410

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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	02 September 2025
	Accepted disposal proposed - conditions of practice order (12 months)
Final outcome	13 October 2025
	Accepted disposal - conditions of practice order (12 months)

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concern 1 (1.1 to 1.3 inclusive) being found proven by the adjudicators.
2. There is a realistic prospect of regulatory concern 1 (1.1 to 1.3 inclusive) being found to amount to the statutory ground of misconduct.
3. For regulatory concern 1 (1.1 to 1.3 inclusive), 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 they 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 conditions of practice order of 12 months. The social worker accepted this 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.

Service user A	[REDACTED]
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The complaint and our regulatory concerns

The initial complaint

The complainant	The complaint was raised by the social worker's former employer.
Date the complaint was received	12 June 2023
Complaint summary	The complainant alleged that the social worker did not undertake visits to service users within a timely manner and case notes were not up to date and/or accurate. The specific issues raised by the complainant are captured in the regulatory concerns section.

Regulatory concerns

Whilst registered as a social worker:

1. You failed to maintain practice standards in that you:
 - 1.1. Failed to provide documentation required for court within timescales, in respect of service user A.
 - 1.2. Failed to maintain up-to-date and/or accurate records.
 - 1.3. Failed to undertake visits to service users and/or failed to undertake visits to service users in a timely manner.

Grounds of impairment:

The matters outlined in regulatory concerns (1.1), (1.2) & (1.3) amount to the statutory ground of misconduct and/or lack of competence or capability.

Your fitness to practise is impaired by reason of 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	☐

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 (1.1 to 1.3 inclusive) being found proven, that those concerns could amount to the statutory ground of misconduct and that the social worker's fitness to practise could be found impaired.

Reasoning

Facts

Regulatory concern 1

It is alleged that the social worker failed to maintain practice standards in that they:

- 1.1. Failed to provide documentation required for court within timescales, in respect of service user A.
- 1.2. Failed to maintain up-to-date and/or accurate records.
- 1.3. Failed to undertake visits to service users and/or failed to undertake visits to service users in a timely manner.

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

- An email from the social worker's former employer to Social Work England (dated 03 May 2024) detailing the concerns and the social worker's absence record.
- A job description and person specification.
- Relevant case notes.
- A record of a disciplinary investigation (dated 15 December 2023).
- Witness statements from service users and their relatives.
- Communications between the social worker's subsequent employer and Social Work England.
- A GP report (dated 31 March 2025).
- The social worker's submissions.

The social worker admits the concerns. They state that at the time the concerns were raised, they were suffering from personal and professional challenges that significantly impacted their practice [REDACTED]

[REDACTED]

Having reviewed the evidence provided to them, the case examiners note that they have been provided with clear and cogent evidence that supports the regulatory concerns. For example, they have been provided with evidence which indicates the social worker did not complete a witness statement within the necessary timescales, resulting in a court case being delayed; that case notes lacked detail / were not completed; and that the social worker failed to attend meetings.

Having reviewed all the evidence provided to them, the case examiners have concluded there is a realistic prospect that regulatory concern 1 (1.1. to 1.3 inclusive) would be found proven by adjudicators.

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.

Competence

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.

In this instance, the case examiners are satisfied that the social worker has demonstrated that they have the knowledge and skills to do their work in a safe and effective manner, and that the period in which the concerns relate to (between December 2022 and April 2023) does not represent a fair sample. This is because the social worker has been qualified for over 10 years, and the case examiners have not been provided with evidence of any previous concerns. In addition, the case examiners note that the social worker's former employer has commented on the high standards that the social worker has previously achieved. Finally, the case examiners are not satisfied that circumstances of this case are 'exceptional'.

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

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

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

Having considered the relevant standards, the case examiners have concluded that the social worker's alleged conduct could represent a significant departure, because the allegations indicate that the social worker's conduct resulted in service users being placed at (further) risk.

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 regard 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 training.

Insight and remediation

In this instance, the social worker's submissions provide evidence of significant insight, as well as evidence of remediation. For example, they have accepted their role and responsibilities, and they have reflected on what led to the events which are the subject of the concerns, what went wrong, and what could and should have been done differently. The social worker has also taken steps to address the underlying factors that appear to have led to the concerns [REDACTED]

Risk of repetition

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

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 have outlined their view that the alleged conduct in this case is serious because it placed service users at (further) risk; and that the regulatory concerns could amount to the statutory ground of misconduct. Furthermore, the case examiners consider that adjudicators may find that public confidence would be undermined if a finding of impairment were not made.

Accordingly, 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	☐
	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

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 case examiners acknowledge that the social worker does not accept that they are currently impaired. However, the case examiners are of the view that having read their proposal (including the reasoning), the social worker may accept that they are

currently impaired, in which case, the matter can be concluded via accepted disposal.

Furthermore, the case examiners have concluded that:

- Although the public interest is engaged, and the concerns in this case are serious, the case examiners are satisfied that public confidence in the profession and the professional standards for social workers can be upheld by the proposed outcome, and the decision being published on Social Work England's public register.
- 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.

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	☐
	No	☒
An interim order may be necessary in the best interests of the social worker	Yes	☐
	No	☒

Accepted disposal

Case outcome

Proposed outcome	No further action	☐
	Advice	☐
	Warning order	☐
	Conditions of practice order	☒
	Suspension order	☐
	Removal order	☐
Proposed duration	Conditions of practice order - 12 months	

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 misconduct.

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 Impairment and Sanctions Guidance (2022) and reminded themselves that the purpose of a sanction is not to punish the social worker but to protect the public and the wider public interest. The guidance requires that decision makers select the least severe sanction necessary 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 sanctions in ascending order of seriousness.

No further action

The case examiners considered taking no further action. However, the case examiners considered that this would not be appropriate in this instance because

they are not satisfied that a finding of impairment alone would protect the wider public interest.

Advice or Warning

The case examiners next considered whether offering advice or a warning 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 misconduct, and again it would not adequately protect the public.

A warning order implies a clearer expression of disapproval of the social worker's conduct than an advice order. However, the case examiners are not satisfied that a warning order would send a strong enough message to the social worker, and particularly, the wider social work profession. Furthermore, a warning order would again not adequately protect the public.

Conditions of practice

The case examiners then considered a conditions of practice order.

The case examiners have consulted their guidance, which states conditions of practice may be appropriate in cases where (all of the following):

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

In this instance, the social worker has demonstrated significant insight, and the case examiners have concluded that the risk of repetition is low. However, the case examiners note that their assessment of the risk of repetition has not been tested because the social worker appears to have only been in practice for a short period of time since they took steps to remediate, and they are of the view that workable conditions can be formulated that would allow the social worker to practice safely and demonstrate that the risk of repetition is reduced. Additionally, the order is

subject to review, which can be extended or replaced with a different order if necessary.

Having concluded that a conditions of practice order is the appropriate outcome in this case, the case examiners went on to consider the length of time for the order. The case examiners consider that 12 months would allow the social worker sufficient time to demonstrate strengthened practice within a full appraisal cycle. They consider that any longer period, given that some insight and remediation has already been demonstrated, would be unnecessary and punitive.

Suspension or Removal Order

The case examiners went on to test the suitability of the conditions of practice order by considering the next most severe sanctions, a suspension order, and a removal order.

Having considered their guidance, the case examiners did not consider these orders to be proportionate. Although, the concerns are serious, the case examiners consider that the public can be protected with an appropriate conditions of practice order.

To conclude, the case examiners have decided to propose to the social worker a conditions of practice order of 12 months 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 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.

Content of the conditions of practice

Conditions 1 to 13 (inclusive) should be in place for a 12-month period. In accordance with paragraph 15 of Schedule 2 of The Social Workers Regulations 2018, the regulator must review the conditions of practice order before its expiry. The social worker and/or Social Work England can seek early review if new evidence becomes available to suggest the current order needs to be varied, replaced or removed.

1. You must notify Social Work England within 7 days of any professional appointment you accept or are currently undertaking and provide the contact

details of your employer, agency or any organisation with which you have a contract or arrangement to provide social work services, whether paid or voluntary.

2. You must allow Social Work England to exchange information with your employer, agency or any organisation with which you have a contract or arrangement to provide social work or educational services, and any reporter referred to in these conditions.
3.
 - a. At any time you are providing social work services, which require you to be registered with Social Work England, you must agree to the appointment of a workplace reporter nominated by you and approved by Social Work England. The workplace reporter must be on Social Work England's register.
 - b. You must not start or continue to work until these arrangements have been approved by Social Work England.
4. You must provide reports from your reporter to Social Work England every 3 months and at least 14 days prior to any review.
5. You must inform Social Work England within 7 days of receiving notice of any formal disciplinary proceedings taken against you from the date these conditions take effect.
6. You must inform Social Work England within 7 days of receiving notice of any investigations or complaints made against you from the date these conditions take effect.
7. You must inform Social Work England if you apply for social work employment / self-employment (paid or voluntary) outside England within 7 days of the date of application.
8. You must inform Social Work England if you are registered or subsequently apply for registration with any other UK regulator, overseas regulator or relevant authority within 7 days of the date of application [for future registration] or 7 days from the date these conditions take effect [for existing registration].
9.
 - a. At any time you are employed, or providing social work services, which require you to be registered with Social Work England; you must place yourself and remain under the close supervision of a workplace supervisor nominated by you and agreed by Social Work England. The workplace supervisor must be on Social Work England's register.

9. b. You must not start or continue to work until these arrangements have been approved by Social Work England.
10. You must work with your workplace supervisor to formulate a personal development plan, specifically designed to address the shortfalls in the following areas of your practice:
- The completion of work within timescales.
 - The maintenance of up-to-date and/or accurate records.
 - The completion of visits to service users in a timely manner.
11. You must provide a copy of your personal development plan to Social Work England within 4 weeks from the date these conditions take effect and an updated copy 4 weeks prior to any review.
12. You must provide a written copy of your conditions, within 7 days from the date these conditions take effect, to the following parties confirming that your registration is subject to the conditions listed at 1 to 11, above:
- Any organisation or person employing or contracting with you to undertake social work services whether paid or voluntary.
 - Any locum, agency or out-of-hours service you are registered with or apply to be registered with in order to secure employment or contracts to undertake social work services whether paid or voluntary (at the time of application).
 - Any prospective employer who would be employing or contracting with you to undertake social work services whether paid or voluntary (at the time of application).
 - Any organisation, agency or employer where you are using your social work qualification/knowledge/skills in a non-qualified social work role, whether paid or voluntary.
 - You must forward written evidence of your compliance with this condition to Social Work England within 14 days from the date these conditions take effect.
13. You must permit Social Work England to disclose the above conditions, 1 to 12, to any person requesting information about your registration status.

Response from the social worker

The social worker submitted a completed accepted disposal response form on 08 October 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 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 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 conditions of practice order (12 months).