

Case Examiner Decision
Carol Ann McAteer
SW55585
FTPS-22646

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	18
Accepted disposal	20

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	27 March 2025
	Accepted disposal proposed - warning order (12-months)
Final outcome	09 April 2025
	Accepted disposal – warning order (12 months)

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concern 1 (in its entirety) being found proven by the adjudicators.
2. There is a realistic prospect of regulatory concern 1 (in its entirety) being found to amount to the statutory grounds of misconduct.
3. For regulatory concern 1 (in its entirety), 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 an accepted disposal warning order of 12 months' duration. If the social worker does not agree to this proposal, or if the case examiners revise their determination, the matter will proceed to a public hearing.

On 08 April 2025, the social worker accepted this proposal and the terms in full.

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.

Person A

Adult A

Adult A's son

Person B

Professional A

The complaint and our regulatory concerns

The initial complaint

The complainant	The complaint was raised by the social worker's former employer (thereafter referred to as the council).
Date the complaint was received	19 September 2023
Complaint summary	The social worker was employed as a senior social worker in an adult multi-agency safeguarding hub (MASH) since October 2021. The council raised concerns that on two occasions, the social worker disclosed sensitive and confidential information to a vulnerable service user and a third party. In doing so, it is alleged that the social worker's actions breached data protection and had the potential to place two vulnerable service users at risk of harm.

Regulatory concerns

Whilst registered as a social worker:

- 1. You failed to recognise and manage risk appropriately by**
 - i. Disclosing sensitive information to Person A without professional reason to do so.**
 - ii. Failing to ensure that it was safe to discuss sensitive information with Person A**
 - iii. Disclosing sensitive information about Person B to a third party without professional reason to do so**

The matters outlined in regulatory concern 1 amount to the statutory ground of misconduct.

Your fitness to practise is impaired by reason of misconduct.

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 (in its entirety) being found proven, that the concern could amount to the statutory ground of misconduct, and that the social worker's fitness to practise could be found impaired.

Reasoning

Facts

Whilst registered as a social worker:

- 1. You failed to recognise and manage risk appropriately by**
 - i. Disclosing sensitive information to Person A without professional reason to do so.**
 - ii. Failing to ensure that it was safe to discuss sensitive information with Person A**

The case examiners will address regulatory concern 1 (i) and (ii) collectively as both parts rely upon the same evidence.

The key information is as follows:

Case records

Contact records from 25 January 2023 document the concerns first raised by the police about a neighbour (adult A) who was considered to have coerced person A to have given up their tenancy so that adult A's son could move into their flat (a form of action known as 'cuckooing'). Person A then became homeless; it was noted that their furniture was thrown out of the flat into the front garden. On 25 January 2023, a social worker working within the access team passed the referral to the multi-agency safeguarding team (MASH) after they had struggled to speak with person A without adult A taking over the call. The information provided suggests that adult A led person A to believe they were in a relationship, and that they financially exploited person A.

On 26 January 2023, an additional concern of 'cuckooing' was made by the job centre. Person A is believed to have been 'sofa surfing' following the perceived relationship with adult A ending, and concerns were raised that person A did not independently have access to their own phone. Further, person A's benefits were paid directly to the landlord where adult A's son was now residing, as such, adult A's son was living at the property rent free.

The case examiners note that both referrals were amalgamated into one concern and risk assessed as high priority, with requests being sent to secondary mental health, primary care, housing, trading standards and the police to gather information to support a decision on how to proceed. Person A is identified as having a brain injury, learning disability and epilepsy, and who as a vulnerable adult may not be able to protect themselves from harm.

On 27 January 2023, the assistant team manager (professional A) determines that a strategy discussion with the police was required. On 30 January 2023, the social worker is tasked with reviewing the safeguarding concern alongside the information gathered from partner agencies to decide as to whether the threshold under the Care Act 2014 was met to progress to a safeguarding enquiry. There is evidence that on this date, the social worker was allocated other high priority cases in addition to person A.

On 30 January 2023, the social worker records a brief history of exploitation by other parties and outlines their initial activity work undertaken.

On 31 January 2023, the social worker completes a safeguarding case note, titled 'MASH telephone call' in which they detail the telephone conversation with person A. The social worker documents asking where person A was currently at, who replied,

“at a friend’s... not [adult A] but another friend,” and records that they checked if person A could talk in private, which they confirmed.

This safeguarding entry also documents that person A confirmed they had given their flat keys to adult A’s son and that they were homeless. The social worker then records hearing a male voice in the background, which they assumed to be a male friend. The social worker then records explaining to person A that adult A’s son had a police record which included an assault on adult A. At this point, the social worker describes hearing a female voice (adult A) becoming abusive, and coming on to the call to say that they and their son had been listening the whole time. Adult A then challenged the social worker about the police information. The social worker records that they then ended the call after telling the third parties that the conversation with person A was private, and that they had not wanted to cause upset.

Disciplinary documentation, email correspondence and policy

The disciplinary report outlines the social worker’s role as a senior social worker for adult MASH. Their duties include hospital link worker and team responsibilities, gathering information from duty calls and emails, and determining whether section 42 safeguarding threshold is met and to refer to suitable agencies.

The preliminary and formal interview minutes with the social worker, dated 01 and 07 February 2023, and 27 April 2023, confirm that the social worker had read the safeguarding case notes, inter-agency information, and the concern prior to contacting service user A. The social worker states that they emailed the police to arrange a strategy discussion prior to contacting person A, but due to their concern for person A’s safety, they decided to call person A before waiting for the police response.

The case examiners have had sight of the police email, dated 26 January 2023; this provides the police intelligence relating to adult A and their son which was graded as high risk. The social worker’s response confirms that they requested to hold a strategy discussion with the police.

The multi-agency policy and procedures have been provided; in a case of cuckooing or coercion the case examiners note that the policy says, *“if a person has no phone of their own or is open to risk, we would not do anything to aggravate that risk... if there are risks of the person being overheard we would not need making safeguarding personal as this could be done later in the enquiry.”*

Professional A's witness statement, dated 25 May 2023, confirms the social worker received regular supervision on a 6-weekly basis. [REDACTED]

[REDACTED] They also explain that in such cases as 'cuckooing,' a 3-stage test of deciding when a section 42 threshold is met, and confirms that in this case, the threshold decision could have been made without the need for a phone call to service user A. They confirm that the social worker did not have the authority to disclose the police information.

The council confirms that following the telephone call on the 30 January 2023, the social worker did not inform their manager of the disclosure but did call person A back a few minutes later to ensure they were ok. There is evidence that the social worker made a referral to the police with their concerns following this incident.

The social worker fully accepts the concern, and they acknowledge that when contacting person A on the 30 January 2023, they failed to consider the previous information recorded in case notes that indicated person A's mobile phone was often answered by a female.

Further, in relation to matters at (ii) the social worker accepts that they failed to consider the potential risks of the possibility that adult A and their son could be with person A, and thus listening to the call and that they had assumed the 'male friend' was someone else. The social worker fully accepts that their actions placed person A at risk of harm and that they should have appropriately followed the manager's direction to hold a police strategy discussion before attempting to contact person A.

In addition, the social worker accepts that they did not have the authority to disclose the police intelligence that had been shared with them in an email. The case examiners note that the social worker acknowledged this at the preliminary meeting held with their employer on the 01 February 2023.

Accordingly, the case examiners are satisfied that there is a realistic prospect of adjudicators finding the facts at 1 (i) and (ii) proven.

iii. Disclosing sensitive information about Person B to a third party without professional reason to do so

The preliminary hearing minutes, dated 12 September 2023, outline the social worker's actions on 05 September 2023 in relation to the safeguarding episode for

person B, following allegations of financial control by person B's sisters. The social worker states that the initial referral did not confirm which hospital / ward person B was admitted to, and that the only recorded contact number was for person B's elderly mother. The social worker outlines that they rang person B's mother as checks showed person B had been transferred to another hospital to receive end of life care, and they thought the mother could provide an update of the ward and current treatment.

The social worker details the conversation with person B's mother who they state wanted to discuss alternative discharge arrangements. The social worker states that they shared information about the allegation of financial control because of the mother's concern that person B was not able to buy items. The mother commented that person B's sisters oversaw finances, which the social worker was not comfortable about given the allegation of financial control. Person B's mother then confirmed that they had person B's wallet and bank cards. The social worker asserts that had they not spoken with the mother, they would not have been able to reassure person B that these items had not been stolen.

When asked whether they had considered General Data Protection Regulations (GDPR) and data protection legislation, the social worker says that they did consider it but felt 'put on the spot' due to the mother's confusion about the social worker's purpose of their call. The case examiners note that the information provided appears to suggest that the conversation digressed away from its original purpose and that the social worker reports they 'struggled to get it back.' Within their initial comments, the social worker asserts that they had not intended to share the details of the safeguarding allegations and had done so to lessen the mother's anxiety.

The case examiners observe that during the employer's preliminary hearing, the record indicates that the social worker did not consider that the disclosure may have placed person B at increased risk. The social worker was of the view that person B had consented to the safeguarding referral and as it involved the family, they would need to establish if there was any validity to the allegations. The social worker accepts that they did not speak to the manager about how the discussion had evolved or of the disclosure to person B's mother. They inform that they intended to speak to the ward nurse and person B following the call but did not due to person B receiving a visitor, which they did not want to interrupt.

The preliminary hearing minutes confirm that there was no reference in the case notes recorded by the social worker of the disclosure, but that the social worker later spoke to person B on the 07 September 2023 and their sister. The threshold for section 42 enquiries was not met and the safeguarding episode was closed.

The social worker accepts their error in judgement about making the disclosure to person B's mother.

Accordingly, the case examiners are satisfied that there is a realistic prospect of adjudicators finding the facts at 1 (iii) proven.

Grounds

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.

As a social worker, I will:

2.6 Treat information about people with sensitivity and handle confidential information in line with the law.

3.9 Make sure that relevant colleagues and agencies are informed about identified risks and the outcomes and implications of assessments and decisions I make.

Social workers are entrusted with access to highly sensitive and /or confidential information, and it is essential that members of the public can trust their personal information to be only shared when there is a legitimate and professional reason to do so. Accordingly, the case examiners consider that if it is found that the social worker, shared sensitive and/or confidential data when they had no professional reason or authority to do so, then this would be considered a serious departure from the standards.

Regulatory concern 1 (in its entirety), if found proven, is serious.

In relation to service user A, the social worker accepts that they intentionally shared the police intelligence with person A, which they did not have the authority to share. The social worker states that they wanted to make person A aware of the risk of harm from the alleged perpetrators and to obtain consent to being safeguarded. In addition, the social worker accepts failing to consider available evidence that person

A was likely to be under coercive control and not alone when this information was shared, thus increased the risk of harm from the alleged perpetrators.

In relation to service user B, the case examiners are of the opinion that the information provided indicates that the social worker did share sensitive and confidential information on two separate occasions, without legitimate or professional reasons. With regards to person A, where a criminal conviction information was shared, this was also outside of the GDPR. The case examiners consider that as an experienced social worker, working within the multiagency safeguarding hub, they would have the requisite knowledge and training to have understood the serious implication of breaching social work standards on confidentiality and/or data protection legislations, and that doing so regardless of such knowledge constitutes a significant breach of the required professional standards.

Having considered the evidence the case examiners are satisfied that there is a realistic prospect of adjudicators determining that the ground of misconduct is engaged.

Impairment

Assessment of impairment consists of two elements:

1. The personal element, established via an assessment of the risk of repetition.
2. The public element, established through consideration of whether a finding of impairment might be required to maintain public confidence in the social work profession, or in the maintenance of proper standards for social workers.

Personal element

With regards to the concerns before the regulator, the case examiners have given thought to their guidance, and they note that they should consider 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 consider that the alleged conduct is remediable by the social worker, for example, through further training relating to confidential information and GDPR and data protection guidance. Further, the case examiners consider that the

alleged conduct can be further remediated by demonstrating insight, and the steps they will take to prevent similar actions in the future.

Insight and remediation

The social worker does not accept their fitness to practise is currently impaired; however, they do consider it to have been impaired at the time of the concerns. They accept making errors in judgement by making the disclosures and demonstrate insight into why they may have acted as they did, citing mitigating factors in terms of personal and health challenges at that time and of feeling unsupported in the role.

Within the social worker's initial submissions, they have also submitted some positive evidence of remediation. They have provided a number of continuing professional development (CPD) learning outcomes that are relevant to the matters of concern, and in which they have considered the key principles of the Care Act 2014 of accountability, empowerment, partnership, prevention, proportionality, and protection. Further, they have reflected upon the duty of confidentiality and sharing information within safeguarding adults. The case examiners consider that these examples reflect general learning from the experience.

In relation to service user A, the social worker explains what they should have done differently and of the need to be more mindful of the regulations regarding information sharing and consent to this. In terms of making safeguarding personal, the social worker has reflected on their personal experiences, and how this may have influenced their decision to contact service user A, when it was deemed not necessary at that time due to the threshold for section 42 having already been met.

The social worker reflects that they should have sought guidance from a manager as soon as the call ended and informed them of the disclosure rather than just recording it in the safeguarding notes.

However, the case examiners are of the view that some of the social worker's submissions indicate that they have not yet fully remediated. For example, within the social worker's response to the disciplinary report, dated 22 August 2023, which they have provided as supporting evidence, they comment that as adult A and son were fully aware of adult services involvement prior to the safeguarding concern, and that they had witnessed police visits prior to their call, the social worker argues that the telephone call may not have increased the risk to person A. The case examiners consider that this assertion is one of deflection rather than providing a meaningful reflection of the potential increased risk of harm to person B, which is considered as serious as actual harm.

In relation to person B, the social worker has provided CPD, dated 13 September 2023, in which they discuss the embryonic plan of what they were going to say to person B's mother, but that they had not expected the conversation to digress in the way it did, and they had not intended to make the disclosure. They consider that "circumstances had played a part." The case examiners note that this CPD is detailed, and there are some reflections that their actions did not uphold person B's right to privacy nor respect their autonomy, and that their mother appeared to be distressed by the disclosure. However, the social worker does not appear to sufficiently consider the impact and seriousness of sharing confidential information that could have had the potential to undermine any further investigation into an allegation of financial control or placed person B at risk of harm.

The case examiners consider that the social worker has demonstrated some understanding of why breaching confidentiality and acting outside of the required legislation and policy is serious; however, they are not reassured that the social worker has shown full insight into the seriousness of their actions in relation to person B, and how they had the potential to cause harm.

Risk of repetition

The concerns relate to two isolated and unrelated safeguarding episodes; no evidence has been presented to the case examiners to indicate that the social worker, who had been employed in their role since October 2021 has previously shared confidential or sensitive information with service users or their families. They also note the mitigating circumstances [REDACTED]

[REDACTED]

Whilst the case examiners consider there to be developing insight and reflections, they are not satisfied that the concerns raised have been sufficiently remediated. In the case examiners' opinion, the social worker, at times, appear to apportion blame to external factors and is inconsistent with regards to their insights into the matters of concern. As such, the case examiners determine that the 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.

Regulatory concerns relating to the disclosure of confidential and sensitive information in relation to police intelligence and safeguarding disclosures that results in breaches in data protection, or which place service users at risk of harm, go to the heart of public confidence in the social work profession; this has the potential to undermine the public's trust in social workers. The case examiners, therefore, consider it likely that the public would expect that a finding of current impairment is made by adjudicators to maintain public confidence in the profession.

The case examiners conclude that there is a realistic prospect that adjudicators would find the social worker 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 carefully considered whether a referral to a hearing may be necessary in the public interest. The case examiners have noted the following:

- The case examiners guidance reminds them that “*wherever possible and appropriate, case examiners will seek to resolve cases through accepted disposal. This is quicker and more efficient than preparing and presenting a case to a fitness to practise panel.*”
- The accepted disposal process will provide the social worker with the opportunity to review the case examiners reasoning on impairment and reflect on whether they do accept a finding of impairment.
- It is open to the social worker to reject any accepted disposal proposal and request a hearing if they wish to explore the question of impairment in more detail.

The case examiners are aware that a case cannot be concluded through an accepted disposal process where a social worker does not accept that they are currently

impaired. At this stage, however, the case examiners' proposal for an accepted disposal process does not mark the conclusion of the case, as that would require a response from the social worker for the case examiners' consideration. It is also subject to a final review of the case by the case examiners, who may determine to send the matter to a public hearing following any response received.

Accepted disposal

Case outcome

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

Reasoning

Having found that a realistic prospect the social worker's fitness to practise is currently impaired, the case examiners then considered what, if any, sanction they should propose in this case. The case examiners have taken into account the Sanctions Guidance published by Social Work England. They are reminded that a sanction is not intended to be punitive but may have a punitive effect and have borne in mind the principle of proportionality and fairness in determining the appropriate sanction.

The case examiners are also mindful that the purpose of any sanction is to protect the public which includes maintaining public confidence in the profession and Social Work England as its regulator and upholding proper standards of conduct and behaviour.

The case examiners have considered 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.

In considering a sanction, the case examiners have considered there to be mitigating factors in this case, in that:

- The social worker has engaged in the fitness to practise process and provided evidence of some insight and remediation.

- The concerns relate to two isolated incidents in an otherwise unblemished career.

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

No Further Action

The case examiners conclude that the nature and seriousness of the social worker's alleged conduct has not been fully remediated. In the absence of exceptional circumstances, it would be inappropriate to take no further action. Furthermore, it would be insufficient to protect the public, maintain public confidence and uphold the reputation of the profession.

Advice or Warning

The case examiners next considered whether offering advice would be sufficient in this case. An advice order will normally set out the steps a social worker should take to address the behaviour that led to the regulatory proceedings. The case examiners decided that issuing advice was not sufficient to mark the seriousness with which they view the social worker's alleged conduct.

In relation to a warning, the case examiners had regard to their guidance, which states a warning order is likely to be appropriate where (all the following):

- The fitness to practise issue is isolated or limited.
- There is a low risk of repetition.
- The social worker has demonstrated insight.

The social worker's alleged actions are isolated in that they relate to two separate safeguarding episodes in an otherwise unblemished career, and the social worker has also provided some evidence of insight and remediation, although case examiners have also taken into account mitigating factors, [REDACTED]

[REDACTED] Although the case examiners consider there to be some risk of repetition, they take the view that in all the circumstances of this case, a warning order, which implies a clear expression of disapproval of the social worker's conduct, is an appropriate and proportionate outcome to maintain professional standards and public confidence and to protect the public interest.

The case examiners went on to test the suitability of a warning order by considering the next sanction, a conditions of practice order. They were mindful of their guidance, which states that where there is a risk of repetition, a sanction requiring restriction of practice will normally be necessary. On this occasion the case examiners consider that conditions of practice or suspension are not warranted. The case examiners take the view that, in light of their developing insight and remediation, the social worker does not currently pose a risk of harm to the public such that requires restricted practise, and as such, conditions of practice are not appropriate and disproportionate. The case examiners are of the view that a warning will achieve the primary goal of protecting the public and safeguarding public confidence.

Having concluded that a warning order is the appropriate outcome in this case, the case examiners went on to consider the length of time for the order. Their guidance reminds them that:

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

Having again carefully consider all the circumstances of this case, the case examiners have concluded that warning order (12 months) would be appropriate. While this is not a case of low seriousness, they have taken into account the mitigation provided by the social worker and previous good character. They are of the view that given the developing insight and remediation, that 12 months will allow the social worker sufficient time to further reflect on their actions and address any risk of repetition. The case examiners are of the view that a 12 months' warning will mark the seriousness of the alleged conduct in all the circumstances of this case and adequately maintain public confidence and highlight the professional standards. They consider that any longer period would be unnecessary and punitive.

To conclude, the case examiners have proposed a warning 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 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 that they have a duty to ensure their social work practice aligned with Social Work England professional standards. In particular, the case examiners highlight the following:

As a social worker, I will:

- 2.2 Respect and maintain people's dignity and privacy.
- 2.3 Treat information about people with sensitivity and handle confidential information in line with the law.

This warning can be considered if further fitness to practise concerns are received, particularly if those concerns are similar in nature. The case examiners would note that should the conduct described in this case be repeated, it could result in a finding of impairment.

Response from the social worker

The social worker provided a response on 08 April 2025 and confirmed *"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."* The social worker confirms that this is their formal response to the case examiners.

Case examiners' response and final decision

The case examiners concluded on 27 March 2025 that the social worker's fitness to practise was likely to be found impaired but that the public interest could be met

through a prompt conclusion with a proposed accepted disposal rather than through a public hearing. They proposed a warning order with a duration of 12 months, which social worker has accepted.

In light of the social worker's acceptance of the accepted disposal – warning order (12 months) the case examiners have considered again whether there would be a public interest in referring this matter to a public hearing. They remain of the view that this is unnecessary for the reasons set out earlier in the decision.

Having been advised of the social worker's response, the case examiners have again turned their minds as to whether an accepted disposal – warning order (12 months) remains the most appropriate means of disposal for this case. They have reviewed their decision, paying particular regard to the overarching objectives of Social Work England, i.e. protection of the public, the maintenance of public confidence in the social work profession, and the maintenance of proper standards. Having done so, they remain of the view that an accepted disposal by way of a warning order (12 months) is a fair and proportionate disposal and is the minimum necessary to protect the public and the wider public interest.