



Case Examiners' Decision  
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FTPS-23079

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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	
1 <sup>st</sup> Preliminary outcome	09 January 2025 08 May 2025 29 July 2025
	Accepted disposal proposed - suspension order (nine months duration)
2 <sup>nd</sup> Preliminary outcome	27 August 2025
	Accepted disposal proposed - suspension order (nine months duration)
Final outcome	2 September 2025
	Accepted disposal - suspension order (nine months duration)

## Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concerns 1 and 2 being found proven by the adjudicators.
2. There is a realistic prospect of regulatory concern 1 being found to amount to the statutory ground of a conviction or caution in the United Kingdom for a criminal offence and a realistic prospect of regulatory concern 2 being found to amount to the statutory ground of adverse physical or mental health.

3. For regulatory concerns 1 and 2, 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 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 suspension order of nine months.

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.

On 18 August 2025, the social worker replied to the accepted disposal proposal and said that they intend to accept the proposed suspension order (nine-months duration), however they have requested an amendment.

The case examiners have considered this request and reviewed the case and remain of the view that the proposed accepted disposal remains appropriate. The case examiners have considered the requested amendment which was to remove a word. The case examiners have not removed the word as requested but have redacted the sentence.

The case examiners request that the social worker be notified of the above and be given one final opportunity to accept the proposal with an additional redaction.

28 August 2025, the social worker accepted the case examiners' proposal 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 from the published copy of the decision.

## 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	03 January 2024
Complaint summary	The social worker was convicted of drink driving on 12 January 2024 and disqualified from driving for 17 months. During the regulator's investigation health concerns were identified.

### Regulatory concerns and concern recommended for closure

The regulatory concern for this case is as follows:

Whilst registered as a social worker:

- 1. On 12th January 2024 you were convicted of driving, after consuming so much alcohol that the proportion of it in your breath exceeded the prescribed limit. Contrary to section 5(1)(a) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.**

The matter outlined in regulatory concern (1) amounts to the statutory ground of a conviction or caution in the United Kingdom for a criminal offence.

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

#### Concern being recommended for closure:

Concerns being recommended for closure are concerns raised by the complainant or the regulator for which no evidence has been found during the investigative process or where the evidence obtained negates the concern(s). Decisions regarding concerns being recommended for closure remains the remit of the case examiners.

Whilst registered as a social worker:

- 2. You have an adverse health condition as set out in Schedule 1 which impacts on your ability to practise as a social worker.**

**Schedule 1**



The matter outlined in regulatory concern 2 amounts to the statutory ground of adverse physical or mental health, if proven.

## 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

The case examiners previously adjourned the case on 9 January 2025 and again on 8 May 2025.

9 January 2025: The case examiners requested the following information:

*“A GP medical and/or [REDACTED] report that provides up to date information about the social worker’s current health and management [REDACTED]*

*[REDACTED] The case examiners request a professional opinion about the social worker’s current fitness to return to work.”*

8 May 2025: the case examiners were in receipt of a UKIM report and noted the following:



*“The UKIM report of 22 March 2025 was based on a Zoom interview on 7 March 2025.*

*Given the above, the case examiners request that regulatory concern 2 is updated as below, or similar:*

*“You have adverse health conditions as set out in Schedule 1 which impact on your ability to practise as a social worker:*

*Schedule 1*

*The case examiners consider the amendment to be material, and they are therefore referring the case back to investigators for the social worker to be offered an opportunity to make submissions.”*

The case has been returned to the case examiners for their consideration.

## The realistic prospect test

### Fitness to practise history

The case examiners have not been informed that there is 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	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

The case examiners have determined that there is a realistic prospect of regulatory concerns 1 and 2 being found proven, that those concerns could amount to the statutory ground of a conviction or caution in the United Kingdom for a criminal offence and adverse of physical or mental health, and that the social worker's fitness to practise could be found impaired.

### Reasoning

#### Facts

- 1. On 12th January 2024 you were convicted of driving, after consuming so much alcohol that the proportion of it in your breath exceeded the prescribed limit. Contrary to section 5(1)(a) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.**

The case examiners have been provided with police evidence and the certificate of conviction from Medway magistrates court which confirms the above.

The memorandum of conviction records that on 19 November 2023, the social worker drove a motor vehicle with a reading of 80 microgrammes of alcohol in 100 millilitres of breath. The social worker pleaded guilty on 12 January 2024 and were disqualified from holding or obtaining a driving licence for 17 months with the disqualification to be reduced by 17 weeks on completion of a course approved by the Secretary of State.

The MG5 refers to there being a collision with the social worker's vehicle hitting the offside front of another vehicle. [REDACTED]

In their initial comments the social worker accepts the concern and provides context [REDACTED]

**The case examiners are satisfied the evidence suggests that the social worker was convicted of the offence as set out in the regulatory concern and there is a realistic prospect of adjudicators finding this concern proven.**

**Concern being recommended for closure.**

Decisions regarding concerns being recommended for closure remains the remit of the case examiners.

Whilst registered as a social worker:

- 2. You have an adverse health condition as set out in Schedule 1 which impacts on your ability to practise as a social worker.**

**Schedule 1**

[REDACTED]

The case examiners have been provided with a report from a Consultant [REDACTED]

Following an adjournment by the case examiners, a UKIM report has been provided, dated 22 March 2025. The following is concluded:

[REDACTED]

In brief, the prognosis is that the social worker is on a recovery pathway. [REDACTED]

In response to the UKIM report, the social worker sent an email on 6 April 2025 and says they agree with his recommendations at this time.

**The case examiners do not agree with the Investigator's recommendation that this concern should be closed. They are satisfied the evidence suggests there is a realistic prospect of adjudicators finding this concern proven.**

#### Grounds

##### **Conviction or caution on the United Kingdom for a criminal offence**

In relation to regulatory concern 1, the case examiners are satisfied there is a realistic prospect of adjudicators determining that the statutory ground of conviction or caution in the United Kingdom for a criminal offence is engaged.

##### **Adverse physical or mental health**

As the case examiners have set out at the facts stage, they have received evidence to suggest that the social worker has health conditions which have the potential to impact upon their practice.

The UKIM report as noted above concludes the following:

*“[The social worker], on her own admission, admits that she is not yet well enough to return to work. She requires considerable support, and she needs to achieve a*

*It is my professional opinion that on the balance of probabilities [the social worker] is not fit to practice (sic) as a social worker at the present time*

Considering the above, there is a realistic prospect of adjudicators determining that the statutory ground of adverse physical or mental health 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

#### Guidance in respect of conduct matters (regulatory concern 1)

The regulator’s guidance explains that the case examiners 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.

#### Guidance in respect of adverse physical or mental health (regulatory concern 2)

In making their decision, case examiners will take into consideration the following:

- whether the social worker has a health condition that may pose a risk to the public if not adequately managed
- whether there is evidence calling into question the ability of the social worker to manage their condition or limit their practice adequately.

### Regulatory concern 1 – conviction

The case examiners consider that the concern is remediable, through an appropriate demonstration of insight and reflection.

The social worker says they are deeply ashamed and regretful. In their initial comments they refer to the very difficult personal challenges they were experiencing at the time [REDACTED] and the events that led up to the incident. Expert reports [REDACTED] were provided for the criminal proceedings. They recognise that their conduct could have put the public at risk of harm.

In terms of remediation, the case examiners' have had sight of the certificate issued to the social worker dated 22 March 2024 on completion of the drink drive rehabilitation course. The social worker has also engaged with some medical support which is addressed below [REDACTED]

The case examiners, having considered the evidence are satisfied that the risk of repetition has been reduced through the social worker's actions since the conviction.

### Regulatory concern 2- adverse physical or mental health

As the case examiners have set out at the facts stage, they have received evidence to suggest the social worker has health conditions which have the potential to impact upon their practice.

The case examiners note that after being charged with the offence, the social worker was assessed on 3 January 2024 by a Consultant [REDACTED] It was noted that the social worker had been unable to work since October 2023 [REDACTED]

The social worker has provided evidence of completion of a course in January 2024 [REDACTED]

[The social worker], on her own admission, admits that she is not yet well enough to return to work [REDACTED]

It is my professional opinion that on the balance of probabilities [the social worker] is not fit to practice [sic] as a social worker at the present time [REDACTED]

On 6 April 2025, the social worker responded by saying they agree with the recommendation [REDACTED]

The case examiners have carefully considered the social worker's submissions and their insight and engagement with treatment. [REDACTED]

[REDACTED] It is noted that the social worker has removed themselves from practice and has not practised since 2023.

The case examiners are mindful that the social worker's ability to take action to manage their health when in practice has not been tested. The independent medical report before the case examiners is also clear that the social worker is not currently fit to practise, and a review in six to nine months is recommended.

With this in mind, the case examiners consider that continued oversight of the social worker's management of their health is likely to be required.

### **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. Public interest includes the need

to uphold proper standards of conduct and behaviour and the need to maintain the public's trust and confidence in the profession.

The case examiners when assessing the public interest, have had regard to the drink and drug driving policy (June 2025) which guides the case examiners to consider aggravating and mitigating factors when assessing how seriously the public would view the conduct. In the absence of any aggravating factors, the guidance suggests that it would be unlikely that a finding of impairment or sanction would be imposed.

The case examiners have identified the following aggravating factors:

- The period of disqualification was 17 months.
- There was a collision.
- The reading was over twice the legal limit.

The case examiners then considered the following mitigating factors:

- This does not appear to be a repeat offence.
- There is remorse and insight.
- The social worker is undertaking voluntary remediation which is not just limited to the drink driving course.

The case examiners consider that members of the public may lack confidence in a social worker who was arrested due to driving when over twice the legal alcohol limit for driving. The case examiners are of the view that, in the circumstances of this case, a member of the public may be troubled to learn that a social worker had been allowed to practise without sanction from their regulator.

The case examiners acknowledge the mitigating factors identified, which include significant personal circumstances at the time of the offence but consider that these are outweighed by the aggravating factors in this case. The conviction appears to be intertwined with the health concern.

Furthermore, public confidence in the social work profession and the regulator may be undermined if a finding of impairment was not made.

In terms of the adverse health matters, as noted above the UKIM report considers that the social worker is not currently fit to practise.

**Taking account of all of the above, the case examiners are satisfied that there is a realistic prospect of the adjudicators making a finding of current impairment on the ground of conviction and adverse physical or mental health.**



## 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

The case examiners have considered whether a referral to a hearing may be necessary in the public interest. They note the social worker has accepted the key facts and accepts that they are currently impaired. There is no conflict in the evidence, and in the case examiners' view, the public would be reassured to see this case resolved efficiently via the accepted disposal process.

## Accepted disposal.

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

### Reasoning

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 sanction 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, advice or warning:

With reference to the regulator’s sanctions guidance (December 2022), the case examiners noted that in cases where a risk of repetition remains, the outcomes of no further action, advice or warning are not appropriate as they will not restrict the social worker’s practice. The case examiners assessed that a risk of repetition remains, and due to the seriousness of the alleged conduct in this case, the case examiners are satisfied that such outcomes are inappropriate.

Conditions of practice order:

The case examiners next considered a condition of practice order. The case examiners considered paragraph 114 of the 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.

The case examiners consider that while the social worker has demonstrated insight, they consider that due to the social worker's ongoing unmanaged health, they may pose a risk of harm to the public by being in restricted practice.

#### Suspension order:

The case examiners went on to consider whether a suspension order might be an appropriate sanction.

The case examiners have considered the guidance, which states:

Suspension may be appropriate where (all of the following):

- the concerns represent a serious breach of the professional standards.
- the social worker has demonstrated some insight.
- there is evidence to suggest the social worker is willing and able to resolve or remediate their failings.

In this instance, there is evidence of a serious breach of the professional standards and insight has been demonstrated in relation to adverse health and the conviction. A suspension order would provide the social worker with some time to aid their recovery; this aligns with the report of the UKIM assessor who indicates the social worker is not fit to practise and to undertake a review in six to nine months.

The case examiners do not consider the next sanction is suitable; a removal order is not required to protect the public, maintain confidence in the profession and maintain proper professional standards for social workers in England.

## Recommendations for the social worker

The case examiners acknowledge the social worker's efforts towards maintaining recovery and they recommend that the social worker continues to engage with treatment and the recommendations of their treating physicians.

The social worker may wish to seek medical opinion before any review of the suspension order and may wish to provide evidence / a report from a treating physician with commentary on whether the social worker is able to safely return to practice. Any such report might helpfully comment more broadly on the social worker's engagement with treatment and recommendations, and on the social worker's insight into their health conditions.

Whilst recovering their health, the social worker may also wish to continue to engage with continuous professional development. The social worker would be welcome to provide evidence to adjudicators of any such work undertaken.

## Response from the social worker

The social worker provided a response on 18 August 2025 advising that *"I do intend to accept the proposed dismissal and to be back working when the sanction expires."*

The social worker has requested an amendment to wording in their decision, in relation to the MG5 police report. [REDACTED]

The social worker states, *"I confirm this is my formal response to the case examiners."*

## Case examiners' response and second interim decision

The case examiners have considered the case examiner guidance (2022, paragraph 199), which states that case examiners are not able to change a proposed sanction once the proposal has been made. However, the guidance (at paragraph 200) also states that case examiners can generally agree to amendments that relate to (either of the following):

- factual inaccuracies in their report
- the workability of any proposed conditions of practice

The case examiners do not consider this relates to either of the above. In this case the social worker now says she does not agree to some of the wording within the MG5 report which has been quoted by the case examiners. This does not appear to have been previously disputed. The case examiners cannot resolve this matter but have determined that the words can be redacted.

According to paragraph 201 of the guidance, the case examiners can invite the social worker again to consent to the proposed sanction if they are satisfied that (both of the following have occurred):

- the social worker's request and submissions have no material impact on their previous assessment (as to public interest in referring to a hearing)
- the social worker has accepted the principles of their decision and the proposed means of concluding the case

The case examiners are satisfied that the social worker's request has no material impact on the previous assessment and remain of the view there is no public interest in referring the case to a hearing and an accepted disposal remains the most appropriate means of disposal for these matters. In requesting the amendment, the social worker does not dispute the facts, nor have they undermined their previous expression of remorse.

The case examiners would therefore like to provide the social worker with a further opportunity to consider the proposed sanction following the redaction. Accordingly, they will now notify the social worker 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.

## Response from the social worker

The social worker provided a response on 28 August 2025. They confirmed that, *“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 are satisfied that the social worker has read and accepted the proposed accepted disposal of a suspension order of nine months duration. The case examiners have again considered the public interest in this matter and, as they have not been presented with any new evidence which might change their previous assessment, they are satisfied it remains the case that the public interest can be fulfilled through the accepted disposal process.

The case examiners therefore direct that Social Work England implement a suspension order of nine months.