

Case Examiner Decision
Stephanie Southworth -
SW121074
FTPS-23385

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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 - warning order (1 year)
Final outcome	03 October 2025
	Accepted disposal - warning order (1 year)

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concerns 1.1 and 1.2 being found proven by the adjudicators. [REDACTED]

[REDACTED]

1. There is a realistic prospect of regulatory concerns 1.1 and 1.2 being found to amount to the statutory grounds of misconduct.
2. For regulatory concerns 1.1 and 1.2, 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 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 warning order of 1 year. 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

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	
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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	01 November 2023
Complaint summary	The complainant alleged that the social worker failed to complete work in a timely manner [REDACTED] [REDACTED] The specific issues raised by the complainant are captured in the regulatory concerns section.

Regulatory concerns

Regulatory concerns are clearly identified issues that are a concern to the regulator. The regulatory concerns for this case are as follows:

Whilst registered as a social worker:

1. You failed to undertake duties expected of the social worker role including:
 - 1.1 Failing to undertake visits within timescales.
 - 1.2 Failing to undertake child in need meetings and core groups within timescales.



Grounds of impairment:

The matters outlined in regulatory concerns (1), (2), (3) & (4) 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 concerns 1.1 and 1.2 being found proven, that those concerns could amount to the statutory grounds 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 undertake duties expected of the social worker role including:

1.1 Failing to undertake visits within timescales.

1.2 Failing to undertake child in need meetings and core groups within timescales.

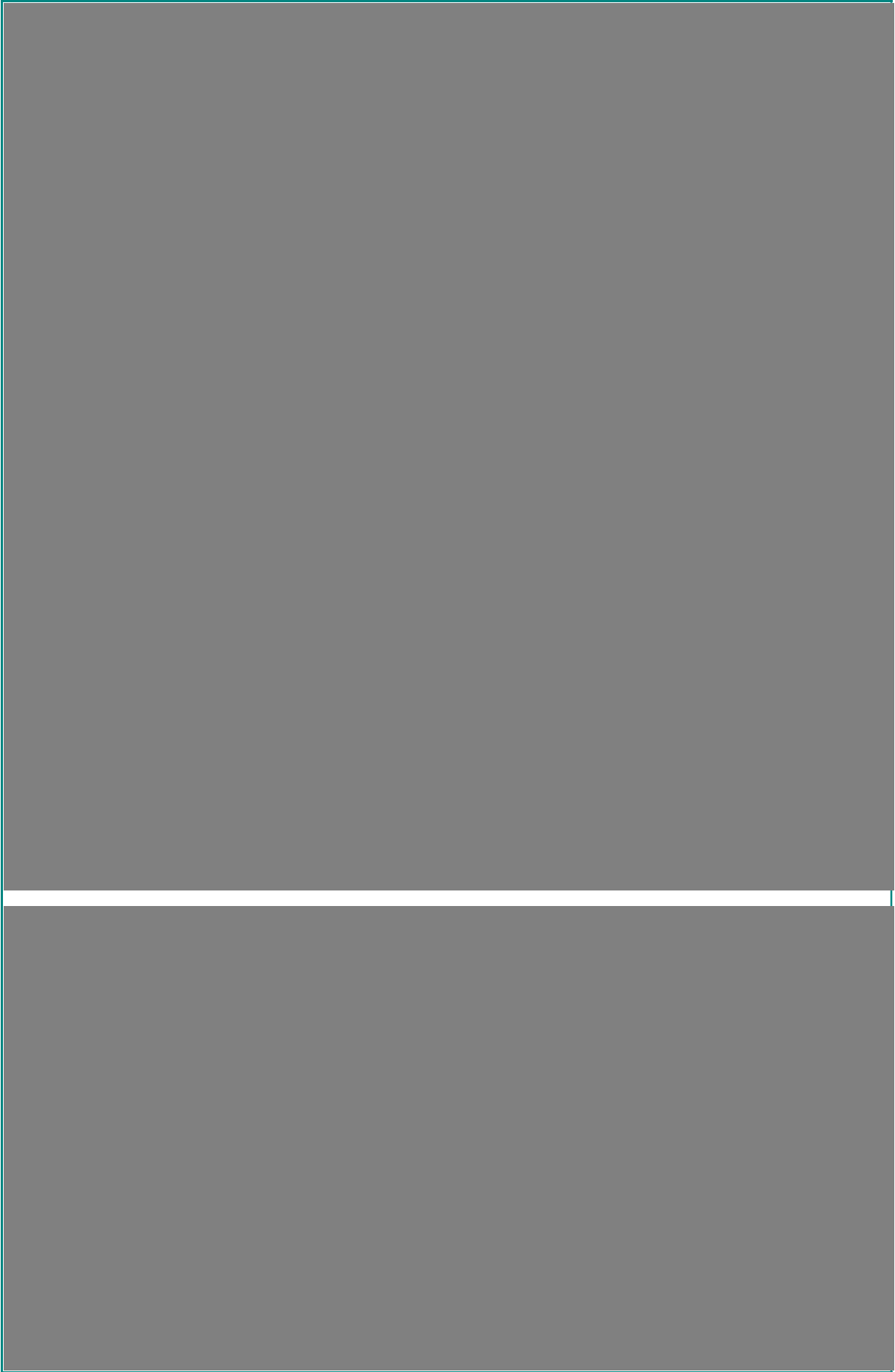
The case examiners have been provided with evidence that includes the following:

- A copy of a case audit detailing a number of cases allocated to the social worker between March 2023 and June 2023.
- A record of the social worker's annual leave / sickness absences between March 2023 and October 2023.
- Case note records.
- Case supervision records.
- Timeframes for child in need meetings, visits, and plans.
- Timeframes for core group meetings.
- Personal supervision records.
- The social worker's submissions.

The social worker admits regulatory concerns 1.1 and 1.2, but they state that they asked for support and informed managers that they had a high and complex caseload.

In respect of regulatory concerns 1.1 and 1.2, the case examiners note that the evidence provided to them in case records indicates that several visits and meetings (including child in need meetings and child protection visits) were not completed within the timescales required for child in need/child protection cases, and that this related to a number of different families.

However, the case examiners have concluded that there is a realistic prospect that regulatory concerns 1.1 and 1.2 would be found proven by adjudicators.



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.

Social Work England professional standards

2.4 Practise in ways that demonstrate empathy, perseverance, authority, professional confidence and capability, working with people to enable full participation in discussions and decision making.

3.1 Work within legal and ethical frameworks, using my professional authority and judgement appropriately.

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

3.12 Use my assessment skills to respond quickly to dangerous situations and take any necessary protective action.

The case examiners acknowledge that the social worker has put forward mitigating circumstances, i.e., at the time of the concerns, they had a high and complex caseload and asked managers for support with this.

However, whilst the evidence provided to the case examiners (specifically, supervision records) does reference some challenges that the social worker was experiencing, it refers to “a couple of demanding cases”, “one particular case”, and “feeling stretched”.

As such, the case examiners are of the view that the evidence provided to them suggests that the social worker’s caseload was not overly high/complex, and/or that the social worker was not adequately clear/did not strenuously raise concerns with their manager about their high/complex caseload. Consequently, the case examiners have concluded that they have not been provided with sufficient evidence of mitigation.

Having considered the relevant standards, the case examiners have concluded that the social worker’s alleged conduct is serious and could represent a significant departure, because the evidence suggests that the social worker’s alleged conduct resulted in vulnerable children and families being left 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 regards to the concerns before the regulator, the case examiners have given thought to their guidance, and they note that they should give consideration to whether the matters before the regulator are easily remediable, and whether the social worker has demonstrated insight and/or conducted remediation to the effect that the risk of repetition is highly unlikely.

Whether the conduct can be easily remedied

The case examiners are satisfied that although the alleged conduct in this case is serious, it could nevertheless be remedied, for example, via a demonstration of significant reflection and wider insight, along with engagement with relevant training.

Insight and remediation

In this instance, the social worker has demonstrated very limited insight and has not provided any evidence of remediation.

Risk of repetition

Having concluded that the social worker has demonstrated very limited insight and has not provided any evidence of remediation, the case examiners would normally conclude that a risk of repetition remains. However, in this instance, the case examiners acknowledge that the social worker has continued to be employed in a social work role for almost 2 years after the period in which the concerns were raised.

The case examiners have had sight of a testimonial from the social worker's current employer, with whom the social worker has been employed since November 2023. The employer speaks positively about the social worker's practice. Of particular importance is that the employer describes instances where visits to children allocated to the social worker are at risk of going out of timescales, and the social worker escalating this appropriately so that support can be provided.

The purpose of case examiners assessing multiple factors when considering the personal element of impairment, is to assess the risk of repetition, put simply the likelihood of the conduct happening again. In this case, the case examiners are assisted by a significant passage of time, during which there has been no repetition,

and with evidence of similar circumstances arising and the social worker responding appropriately. As such, the case examiners are satisfied that this is a mitigating factor that indicates 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 are of the view that public confidence could potentially have been maintained given that the case examiners have concluded the risk repetition is low and that the social worker has continued to be employed in a social work role for almost 2 years without any further concerns being raised.

However, the case examiners also reminded themselves that:

- The public element of impairment includes the maintenance of proper standards for social workers.
- The regulatory concerns (that are capable of being found proven) are serious and left vulnerable children and families at (further) risk of harm.
- The social worker has not demonstrated insight or provided any evidence of remediation.

The case examiners are therefore of the view that a finding of impairment is necessary to maintain proper standards for social workers.

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 considered whether a referral to a hearing may be necessary in the public interest, and they have noted the following:

- There is no conflict in the evidence in this case, and the social worker accepts the key facts.
- While the social worker has indicated that they do not consider themselves to be currently impaired, the case examiners' decision and proposal will allow the social worker to review the case examiners' reasoning on impairment and consider whether they do accept the case examiners' findings.
- It is open to the social worker to reject any accepted disposal proposal and request a hearing if they wish to explore the matter of impairment in more detail.

The case examiners are therefore of the view that the public would be satisfied to see the regulator take prompt, firm action in this case, with the publication of an accepted disposal decision demonstrating to the public and the profession the

importance of adhering to the professional standards expected of social workers in England.

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	Warning order - 1 year	

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 a 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 first considered the key mitigating and aggravating factors relevant to this case.

Mitigating factors

- Absence of previous fitness to practise history.
- No evidence of any further concerns since the complaint was raised.

Aggravating factors

- Very limited evidence of insight or remediation.
- The risk of harm caused to service users.

Having considered the key mitigating and aggravating factors, the case examiners went on to consider the available options in ascending order of seriousness, as per

their guidance, which 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 but decided that this would not be appropriate in this instance because it would not provide the necessary level of public protection and would not satisfy the wider public interest.

Advice or warning

The case examiners next considered whether offering advice or a warning order would be sufficient.

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

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

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

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

In this instance, the case examiners have concluded that whilst the social worker has demonstrated very limited insight, there is a low risk of repetition. In addition, the case examiners have concluded that conditions of practice or a suspension order would be disproportionate, because the social worker has continued to practise safely without any restrictions for approximately 2 years since the concerns were raised.

As such, the case examiners concluded that a warning order is the most appropriate and proportionate outcome in this case and represents the minimum sanction necessary to sufficiently mark the seriousness with which the case examiners view the social worker's conduct. In addition, the case examiners have concluded that a warning order represents the minimum sanction necessary to uphold professional standards.

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

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

In reaching this conclusion, the case examiners referred to the sanctions guidance and noted that the guidance states that such a period may be appropriate for an isolated incident of relatively low seriousness. In these cases, the primary objective of the warning is to highlight the professional standards expected of social workers.

The case examiners are of the view that, although they do not consider this case to be one of "low seriousness" or an isolated incident, this should be weighed against the mitigating factors, specifically the fact that the social worker has continued to practise safely for almost two years since the complaint was raised

Having considered the mitigating factors, the case examiners are satisfied that a 1-year warning is sufficient to protect the public, and to maintain professional standards. To test this position, the case examiners considered the guidance in respect of a 3-year order, which may be appropriate for more serious concerns and allows more time for the social worker to show that they have addressed any risk of repetition; and a 5-year order, for where a case has fallen only marginally short of requiring restriction of practice.

Whilst the case examiners have concluded that the concerns are serious in this case, they have also concluded that there is a low risk of repetition, therefore the social worker does not need more time to address this. In addition, the case examiners note that approximately 2 years have elapsed since the concerns were raised, and that a 3-year order would result in the social worker being subject to a warning order 5 years after the concerns were raised. The case examiners are of the view that, taking into consideration all the factors of this case, a 3-year order would therefore be disproportionate.

The case examiners are also not of the view that this is a case that has fallen only marginally short of requiring restriction to practice. The case examiners have therefore decided to propose to the social worker a warning order of 1 year's duration.

They will now notify the social worker of their intention and seek the social worker's agreement to dispose of the matter accordingly.

The social worker will be offered 14 days to respond. If the social worker does not agree, or if the case examiners revise their decision regarding the public interest in this case, the matter will proceed to a final hearing.

Content of the warning

The case examiners formally warn the social worker as follows:

Your conduct in this case represented a significant breach of professional standards and had the potential to place members of the public at risk of serious harm.

The case examiners warn that as a social worker, it is of paramount importance that you complete visits and meetings (including child in need meetings and child protection visits) within timescales.

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

As a social worker, I will:

2.4 Practise in ways that demonstrate empathy, perseverance, authority, professional confidence and capability, working with people to enable full participation in discussions and decision making.

3.1 Work within legal and ethical frameworks, using my professional authority and judgement appropriately.

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

3.12 Use my assessment skills to respond quickly to dangerous situations and take any necessary protective action.

The conduct that led to this complaint should not be repeated. Any similar conduct or matters brought to the attention of the regulator are likely to result in a more serious outcome.

Response from the social worker

The social worker submitted a completed accepted disposal response form on 24 September 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 warning order (1 year).