

Case Examiner Decision
Mark Thomas Breeze - SW21654
FTPS-19055

Contents

The role of the case examiners.....	3
Decision summary.....	4
The complaint and our regulatory concerns	6
Preliminary issues	8
The realistic prospect tests.....	9
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	04 March 2024
	Accepted disposal proposed – removal order
Final outcome	08 March 2024
	Accepted disposal – removal order

Executive summary

The case examiners are satisfied that there is a realistic prospect that:

1. The factual concerns could be found proven by the adjudicators in respect of regulatory concerns 1.1, 1.2, 1.3, 1.4, 2.1, and 2.2.
2. Those concerns could amount to the statutory grounds of misconduct.
3. The adjudicators could conclude that the social worker's fitness to practise is currently impaired.

The case examiners do not consider it to be in the public interest for the matter to be referred to a final hearing and that the case can 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 by way of a removal order.

The social worker agreed to this proposal and the case examiners have concluded the case by way of accepted disposal.

The case examiners have considered all 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.

Child A	[REDACTED]
Child B	[REDACTED]
Child C	[REDACTED]
Child D	[REDACTED]
Foster Carer A	[REDACTED]
Foster Carer B	[REDACTED]
The complainant	[REDACTED]

The complaint and our regulatory concerns

The initial complaint

The complainant	The complaint was raised by a former colleague of the social worker.
Date the complaint was received	10 March 2021
Complaint summary	The complainant alleged that the social worker failed to manage risk and failed to provide adequate supervision to a supervising social worker. The specific issues raised by the complainant are captured in the regulatory concern section.

Regulatory concerns

Whilst registered as a social worker, and working as an Assistant Manager / Registered Manager for the [REDACTED]

RC1- Between 2013 – 2014, you failed to identify and respond appropriately to risk in the case of Child B, in that you:

- 1.1 failed to ensure a Safe Care Plan was created and/or properly maintained.
- 1.2 failed to fully explore and address a report made by Foster Carer B to the Out of Hours social worker regarding Child B.
- 1.3 failed to take any or adequate action when it came to light that Foster Carer A had been in contact with Child B via texts and phone calls during and after the investigation into Child B's allegations.
- 1.4 advised the supervising social worker to have a discussion with Foster Carer A regarding the messages sent to Child B.

[REDACTED]

RC2- Between 2014 – 2016, you failed to provide adequate and/or appropriate supervision to a supervising social worker you managed, in that:

2.1 you failed to ensure an adequate risk assessment and/or Safe Care Plan was in place for Child C.

2.2 following allegations made by Child C, you failed to ensure agreed actions identified in the Standards of Care Review and Panel process were carried out and effectively completed by the supervising social worker in order to safeguard Child C and Child D.

The concerns at 1 and/or 2 above amount to the statutory ground of misconduct.

Your fitness to practise is impaired by reason of your 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	☐

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

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 no realistic prospect of regulatory concern 1.5 being found proven. However, they have determined there is a realistic prospect of regulatory concerns 1.1, 1.2, 1.3, 1.4, 2.1, and 2.2 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

Context

Concerns were raised about the social worker's practice following a review that had been implemented as a result of a police investigation into sexual offences committed by Foster Carer A. The foster carer was subsequently convicted of several offences, including serious sexual offences in respect of 4 children placed with the foster carer.

Some, but not all the offences were committed whilst the social worker held the position of Registered Manager for the fostering agency with which Foster Carer A and Foster Carer B were registered. Allegations raised by the children related to both before and after the social worker became Registered Manager.

Regulatory concern 1

The case examiners are satisfied there is evidence to support the allegations that:

Between 2013 and 2014, the social worker failed to identify and respond appropriately to risk in the case of Child B, in that they:

- 1.1 failed to ensure a Safe Care Plan was created and/or properly maintained.
- 1.2 failed to fully explore and address a report made by Foster Carer B to the Out of Hours social worker regarding Child B.
- 1.3 failed to take any or adequate action when it came to light that Foster Carer A had been in contact with Child B via texts and phone calls during and after the investigation into Child B's allegations.
- 1.4 advised the supervising social worker to have a discussion with Foster Carer A regarding the messages sent to Child B.

However, the case examiners are not satisfied there is evidence to support the allegation that the social worker:



Specifically, the case examiners note the following in respect of each regulatory concern:

Regulatory concern 1.1

- The case examiners have had sight of the Fostering Service Regulations 2011, which state that: "Every fostering family must produce and review its Safer Care Family Policy. Supervising social workers must review the policy within the supervision process and ensure that it is updated and reviewed as necessary...".
- The complainant states that it was the social worker's responsibility to ensure plans are done properly and identify how to minimise risks.
- The social worker states that "The implementation of safe care was the duty of the supervising social worker who visited the home monthly as a minimum along with two unannounced visits per year. Notwithstanding, I did monitor safer care plans and the application of these through regular audits and supervision."
- The complainant states that when they reviewed Child B's file, they did not find any Safe Care Plans in respect of Child B.

The case examiners note that whilst it may have been the responsibility of the supervising social worker to review the safer care policy with the foster carers, the social worker, as Registered Manager and line manager of the supervising social worker, had some responsibility to ensure the safer care policy was satisfactory. Furthermore, the social

worker states that they did monitor safer care plans and the application of these. Nevertheless, the complainant has stated they did not find any safer care plans in respect of Child B, which indicates that in this specific instance, the social worker failed to ensure a safe care plan was created and / or properly maintained.

The case examiners have therefore concluded there is a realistic prospect that the regulatory concern may be found proven by adjudicators.

Regulatory concern 1.2

- On 21 August 2013, Foster Carer B called the out of hours service and reported that Child B had alleged that Foster Carer A had been giving them wine and getting into their bed, trying to kiss and cuddle them. Foster Carer B stated that Foster Carer A was never home alone at night and would have had to climb over her to get out of bed. However, she did state that sometimes Foster Carer A would wake Child B by tickling their feet.
- In the report on Child B's complaint by the supervising social worker, it is noted that Child B also alleged that Foster Carer A asked inappropriate questions of a sexual nature and gave them alcohol. Child B added that after Foster Carer A gave them alcohol, they awoke to find him lying on their bed and stroking their face.
- The supervising social worker's report also noted that when speaking to Foster Carer B, they had stated that Foster Carer A had recently been left alone with the children while Foster Carer B went to a wedding, indicating that Foster Carer A had in fact been left alone at night with the children, despite Foster Carer B's previous assertion.
- On 29 August 2013, a LADO (local authority designated officer) meeting took place. The meeting concluded that there was no evidence to support the concerns; however, it was not attended by the social worker, and the attendees were not made aware of previous concerns raised by Child A in respect of Foster Carer A.
- On 04 September 2013, a supervision took place between the social worker and the supervising social worker. Supervision notes indicate that it was agreed that the supervising social worker would seek clarification on the status of the allegations made by Child B. However, the complainant states that as per the Allegations against Foster Carers policy, the social worker should have ensured that the supervising social worker sought clarification on the status of the allegations by Child B, but that they failed to do so.
- The complainant also notes that the report completed by the supervising social worker described the allegations as "unsubstantiated", which means that a foster carer review was required.
- In addition, the complainant notes that the social worker failed to highlight that the report did not refer to Foster Carer B contradicting her earlier assertion that Foster Carer A was never left alone with the children. The complainant states that the

social worker should have noted this discrepancy as well as the admission that Foster Carer A tickled Child B's feet.

- The social worker also failed to sign the report, which was presented to the fostering panel on 04 November 2013, even though a management signature is required to confirm that the report has been quality assured.
- Furthermore, in an unsigned annual review for Foster Carer A and Foster Carer B in 2014, Child B's concerns are described as "unfounded" which contradicts the reference to "unsubstantiated" in the supervising social worker's report; and the social worker failed to seek clarity on this, therefore allowing 2 reports with 2 different outcomes to be presented to the fostering panel at different times.

The case examiners note that the social worker was the designated safeguarding lead for the organisation, and, as a manager, had some responsibility for quality assuring the work of the supervising social worker and ensuring agreed actions were followed up. The case examiners are mindful that the supervising social worker at the time of the allegations had only been allocated to the case for a brief period. Given the serious nature of the allegations that were raised, the case examiners take the view that there was consequently a clear need for the social worker to have provided enhanced supervision and pro-active support, to ensure that all relevant information was available to the supervising social worker when they attended the LADO meeting, and for the subsequent written report.

However, the evidence provided to the case examiners indicates that whilst the social worker did explore and address some aspects of the report (for example, they addressed an allegation that Foster Carer A provided Child B with alcohol), they did not fully explore the allegations made. The case examiners were particularly concerned to note that previous allegations, made by Child A, were not drawn to the attention of the supervising social worker, and as a result were not referenced in the LADO meeting or written report.

The case examiners have therefore concluded there is a realistic prospect that the regulatory concern may be found proven by adjudicators.

Regulatory concerns 1.3 and 1.4

- On 30 June 2014, a MACA (multi-agency case audit) meeting took place to review Child B's time in care, because it had become known through Child B's social worker that Foster Carer A was in contact with Child B (including via messaging) after they had raised allegations and left Foster Carer A's care. At the meeting, the content of the messages was unknown, but it later came to light that they included messages such as "what you up to babe"; "Why do you hate me" and "Why are you picking on me, the only person who can stop this going any further is you and me".
- On 04 July 2014, the MACA meeting was discussed in supervision between the social worker and a supervising social worker, therefore the social worker was aware that Foster Carer A had sent messages to Child B. However, the social worker did not

seek further information in respect of the contact between Foster Carer A and Child B, and therefore did not ascertain the content of the messages.

- The case examiners are informed by the complainant, and agree, that this event should have triggered a further LADO referral, which could have resulted in Foster Carer A being deregistered as a foster carer.
- The case examiners also agree with the complainant that the social worker should have sought further details of the contact between Foster Carer A and Child B to ascertain the content of the messages, rather than asking the supervising social worker to have a discussion with Foster Carer A about the sending of the messages.

The case examiners note that by failing to ascertain the content of the messages from Foster Carer A to Child B, and / or failing to refer the contact to the LADO for their consideration, the social worker did not take adequate action. The case examiners acknowledge that the social worker was not solely responsible for taking action in respect of the messages sent from Foster Carer A to Child B, and that other professionals also had a responsibility to do so. However, the social worker did have some responsibility to take action, and the action they took (advising the supervising social worker to have a discussion with Foster Carer A regarding the sending of messages to Child B) was inadequate, because it offered no opportunity for the nature of the messages, which were exceptionally concerning, to be properly explored or addressed. Furthermore, if the social worker had taken the appropriate action, the case examiners are satisfied that it could reasonably have resulted in Foster Carer A being de-registered as a foster carer.

The case examiners have therefore concluded there is a realistic prospect that the regulatory concern may be found proven by adjudicators.

Regulatory concern 2

The case examiners are satisfied there is evidence to support the allegations that:

Between 2014 and 2016, the social worker failed to provide adequate and/or appropriate supervision to a supervising social worker you managed, in that:

2.1 They failed to ensure an adequate risk assessment and/or Safe Care Plan was in place for Child C.

2.2 Following allegations made by Child C, they failed to ensure agreed actions identified in the Standards of Care Review and Panel process were carried out and effectively completed by the supervising social worker in order to safeguard Child C and Child D.

Specifically, the case examiners note the following in respect of each regulatory concern:

Regulatory concern 2.1

- The complainant states that a risk assessment completed by the supervising social worker was of “very poor quality”, because although it identified the risk of sexual exploitation it provided no ways of managing this risk. The complainant states that the social worker was the manager of the supervising social worker and should have reviewed the risk assessment as per the Safer Care Policy.
- The complainant also states that during “the summer” of 2014 (dates unknown) Child C was noted to share a bedroom with Foster Carer A and Foster Carer B on holiday abroad, but there was no record of this being risk assessed nor an agreement to the holiday being taken at all.

The case examiners note that as the registered manager, the social worker had some responsibility for the above, and they have found no evidence to suggest identified risks were properly addressed.

The case examiners have therefore concluded there is a realistic prospect that the regulatory concern may be found proven by adjudicators.

Regulatory concern 2.2

- In September 2015, Child C alleged that Foster Carer A drank alcohol every night, swore at them and made Child C hug them when Child C did not wish to do so. The social worker attended a LADO meeting about these concerns on 24 September 2015 at which the previous allegations by Child B were also discussed. It was agreed that the supervising social worker would interview Foster Carer A and Foster Carer B.

- On 08 October 2015, a further LADO meeting concluded that Child C's concerns were 'unsubstantiated'; however, it was recommended that some additional support should be offered to Foster Carer A and Foster Carer B, including increasing the level of supervision to a minimum of once every 3 weeks and the provision of peer mentoring. It was also identified that Foster Carer A and Foster Carer B were required to keep their daily logs up to date and attend Safer Care training.
- However, only 2 formal supervisions occurred (on 13 November and 21 December 2015); the requirement for supervision every 3 weeks was not completed; and peer mentoring was not provided. Furthermore, the safer caring training was not completed by Foster Carer A and Foster Carer B until 27 January 2016. Daily logs were also left incomplete, and this was not identified until January 2016.
- The complainant describes Child D as very vulnerable due to a learning disability. Despite this, actions agreed at the LADO meeting on 08 October 2015 in respect of Child D were not promptly actioned; for example, their Safe Care Plan was not updated until 30 September.

The case examiners note that as the supervising social worker's manager, it was the social worker's responsibility to ensure the LADO's recommendations were implemented. The case examiners also note the length of time it took for the foster carers to complete safer caring training, and whilst they acknowledge this may have been for logistical reasons (for example, availability of the training), they are of the view that alternative arrangements should have been made to ensure the training was completed earlier.

The case examiners have therefore concluded there is a realistic prospect that the regulatory concern may be found proven by adjudicators.

Grounds

The case examiners are aware that misconduct generally refers to serious acts or omissions, which suggest a significant departure from what would be expected of the social worker in the circumstances.

To understand what would be expected, the case examiners have considered the social worker's conduct in relation to HCPC standards of conduct, performance, and ethics (2016), which were applicable at the time of the concerns.

The case examiners have identified the following standards as being relevant:

- 6.1 You must take all reasonable steps to reduce the risk of harm to service users, carers, and colleagues as far as possible.

6.2 You must not do anything, or allow someone else to do anything, which could put the health or safety of a service user, carer, or colleague at unacceptable risk.

Having considered the relevant standards, the case examiners have concluded that the social worker's alleged conduct could represent a significant departure, because they did not practise safely and manage risk as required.

As has been outlined earlier in this decision, the allegations raised by the children concerned were exceptionally serious and there is evidence to suggest they were not properly explored in full, or within the wider context in respect of earlier concerns regarding Foster Carer A. Sadly, the available evidence confirms that actual harm came to more than one child as a result of Foster Carer A's continued registration with the fostering agency. Whilst the case examiners are clear that Foster Carer A alone is responsible for the acts they committed in respect of the children, they would nevertheless take the view that there were actions the social worker could have taken, which may have helped prevent further harm from being caused.

The case examiners have therefore concluded there is a realistic prospect of the matters being found proven by adjudicators in respect of misconduct.

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 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

Case examiner guidance stipulate that “case examiners should take care to assess the quality of any insight”. The guidance also explains that social workers have a right to deny concerns before the regulator and, in such circumstances, the case examiners should consider whether the social worker has nevertheless demonstrated insight into the alleged conduct.

In this instance, the social worker notes in their submissions (dated 02 February 2023) that “I accept the factual basis of the regulatory concerns in part and own that my fitness to practise is currently impaired...”. Furthermore, the social worker does reflect on what led to the concerns. For example, they refer to their relative inexperience, the demands of the role, and a lack of support from their employer. However, the social worker does not reflect on the impact on the children, or on the profession. Consequently, the case examiners have concluded that the insight demonstrated is limited.

The case examiners have received no evidence of any remedial action having been taken by the social worker.

Risk of repetition

Having concluded that the insight demonstrated by the social worker is partial, and in the absence of any evidence of remediation, the case examiners must further conclude that a 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.

The case examiners have outlined their view that the alleged conduct in this case is serious, and that the regulatory concerns could amount to the statutory grounds of misconduct. Moreover, the case examiners have outlined that actual harm came to children in this case and, although responsibility for that harm lies solely with Foster Carer A, there is nevertheless some evidence to suggest that there were steps that could have been taken to reduce the risk of further harm after the earlier allegations had been made. As a result, 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.

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.

Accepted disposal

Case outcome		
Proposed outcome	No further action	☐
	Advice	☐
	Warning order	☐
	Conditions of practice order	☐
	Suspension order	☐
	Removal order	☒
Proposed duration	Where a social worker is removed from the register, there is no defined end to the finding of impairment. A social worker that has been removed from the register may only apply to be restored to the register 5 years after the date the removal order took effect. If a social worker does apply to be restored to the register, their application to be restored will be considered by adjudicators.	

Reasoning
The case examiners are satisfied there is a realistic prospect of regulatory concerns 1.1, 1.2, 1.3, 1.4, 2.1, and 2.2 being found proven by adjudicators. Furthermore, they found a realistic prospect that the concerns, if proven, could amount to the statutory grounds 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. According to the sanctions guidance (2019), “this outcome is likely to be exceptional and would be in cases where the finding of impairment itself is enough to protect the wider public interest. It may be appropriate where there has been a significant departure from professional standards or guidance, but which has been fully remediated with no risk of repetition”. 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. Furthermore, the case examiners have concluded there is a lack of insight and remediation.

Advice or Warning

The case examiners next considered whether offering advice or a warning would be sufficient. 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 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 is not likely to be appropriate where there is a lack of insight and a risk of repetition, and again it would not adequately protect the public.

Conditions of practice

The case examiners then considered a conditions of practice order. The case examiners have concluded that a conditions of practice order is not suitable for this case, because the social worker is not currently practising, and they have stated that they have no intention of practising in the future. Therefore, there are unlikely to be workable conditions that could be formulated.

Suspension order

The case examiners then considered a suspension order, and they noted the sanctions guidance which indicates that such an order may be appropriate in cases where there has been a serious breach of the professional standards, the social worker has demonstrated

some insight and there is evidence to suggest the social worker is willing and able to resolve or remediate. However, the case examiners are not satisfied that the social worker has demonstrated the necessary insight, and the evidence indicates the social worker does not wish to remediate, given they no longer wish to either remain in practice or retain their registration as a social worker. Consequently, the case examiners have concluded that this case does not meet the requirements for a suspension order.

Removal order

The case examiners therefore went on to consider whether a removal order may be the only outcome sufficient to protect the public, maintain confidence in the profession, and maintain proper professional standards for social workers in England. The case examiners consider that in light of the social worker's alleged conduct, there is no other outcome available to them that would provide the level of assurance needed in respect of these 3 criteria. The case examiners are of the view, considering all the circumstances of this case, that a removal order is the only sanction available that will safeguard public confidence.

To conclude, the case examiners have decided to propose to the social worker a removal order. 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 with the proposed outcome, 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 returned a completed response form on 05 March 2024. The form includes confirmation it is the social worker's formal response, and a declaration as follows:

"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 have considered the public interest in this matter and, as they have not been presented with any new evidence that might change their previous assessment, they are satisfied that it remains to be the case that the public interest in this case may be fulfilled through the accepted disposal process.

The case examiners therefore direct that the regulator enact a removal order.