

Case Examiner Decision  
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FTPS-19777

## Contents

The role of the case examiners .....	3
Decision summary .....	4
The complaint and our regulatory concerns.....	6
Preliminary issues .....	8
The realistic prospect test .....	17
The public interest.....	32
Accepted disposal .....	34

## 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	<ol style="list-style-type: none"> <li>1. 30 January 2025</li> <li>2. 30 April 2025</li> <li>3. 17 June 2025</li> <li>4. 29 October 2025</li> <li>5. 29 November 2025</li> </ol>
	<ol style="list-style-type: none"> <li>1. Additional regulatory concern requested Submissions requested</li> <li>2. Additional regulatory concern requested Further investigation required Submissions requested</li> <li>3. Further investigation required</li> <li>4. Accepted disposal proposed - Warning Order (3 years)</li> <li>5. Response to social worker's request for amendments and accepted disposal proposed - Warning Order (3 years)</li> </ol>
Final outcome	9 January 2026
	Accepted disposal - Warning Order (3 years)

## Executive summary

The case examiners have determined that there is a realistic prospect of regulatory concern 1 being found proven, that this concern could amount to the statutory ground of misconduct and that the social worker's fitness to practise could be found impaired in respect of this regulatory concern.



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 3 years' duration.

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 of the documents made available within the evidence bundle. Key evidence is referred to throughout their decision and the case examiners' full reasoning is set out below.

## Anonymity and redaction

Elements of this decision have been marked for redaction in line with our Fitness to Practise Publications Policy. Text in **blue** will be redacted only from the published copy of the decision and will therefore be shared with the complainant in their copy. Text in **red** will be redacted from both the complainant's and the published copy of the decision.

## 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	19 August 2021
Complaint summary	<p>The social worker was arrested on 26 May 2021 in relation to sending threatening messages on 25 May 2021. There were two messages recorded on WhatsApp [REDACTED] The messages were recorded by the social worker and sent to person A who has then forwarded the message on to person B, [REDACTED] The messages were threatening in nature and directed towards person B.</p> <p>The social worker was charged on 11 August 2021 with the offence of sending a malicious communication and bailed to appear before the court. The social worker attended court on 10 February 2022 for a hearing. The Crown Prosecution Service offered no evidence in the case due to evidential difficulties, and the social worker was found not guilty.</p> <p>The social worker first made a declaration of their arrest to their line manager on 12 August 2021, the day after being charged.</p> <p>The regulator also raises a concern in respect of the social worker's actions around informing Social Work England of their arrest and charge.</p>

## Regulatory concerns

Regulatory concerns (post second adjournment by the case examiners)

1. On the 25<sup>th</sup> of May 2021 you sent a voicemail message making a threat to kill.



## Preliminary issues

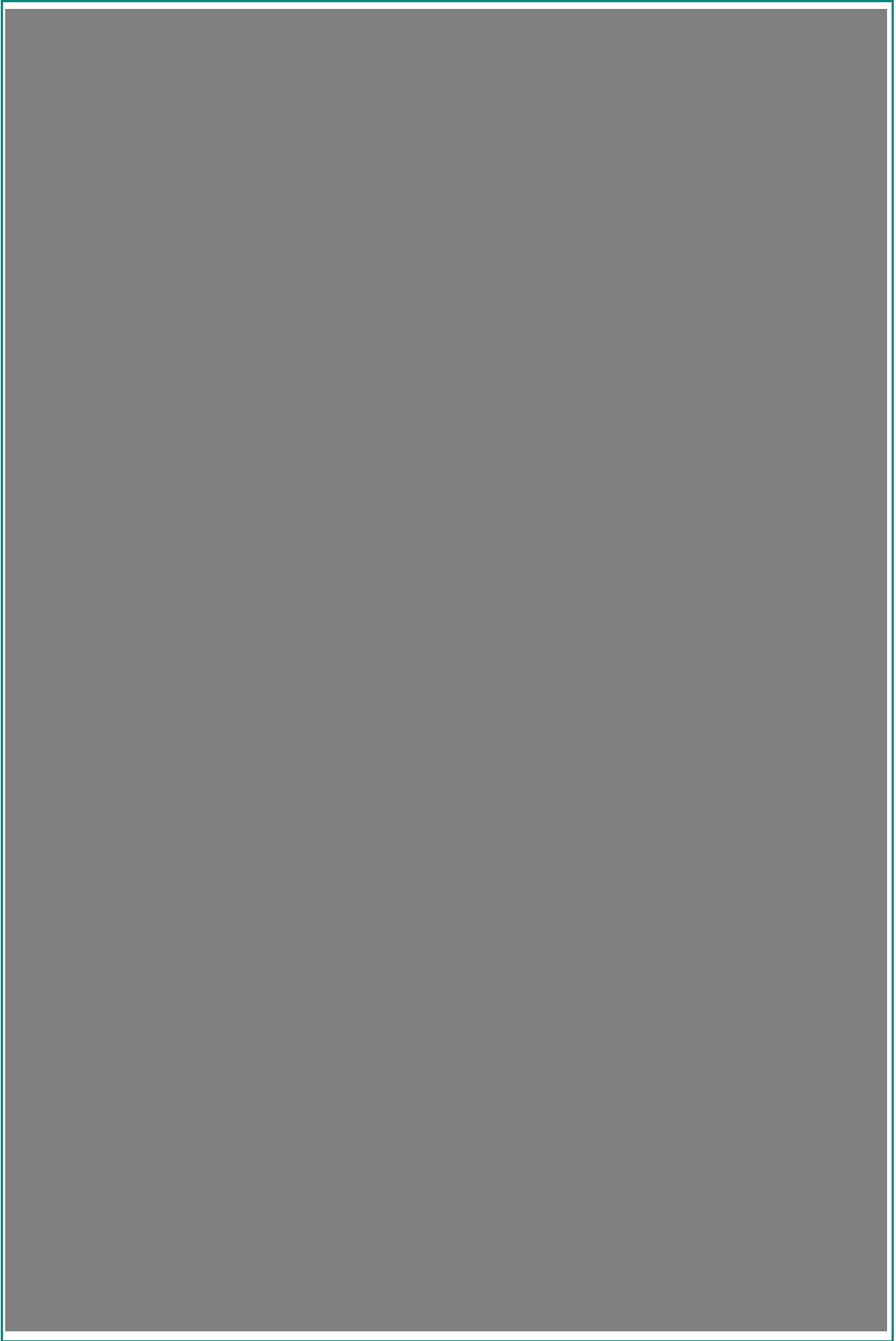
Investigation		
Are the case examiners satisfied that the social worker has been notified of the grounds for investigation?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
Are the case examiners satisfied that the social worker has had reasonable opportunity to make written representations 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 type="checkbox"/>
	No	<input checked="" type="checkbox"/>

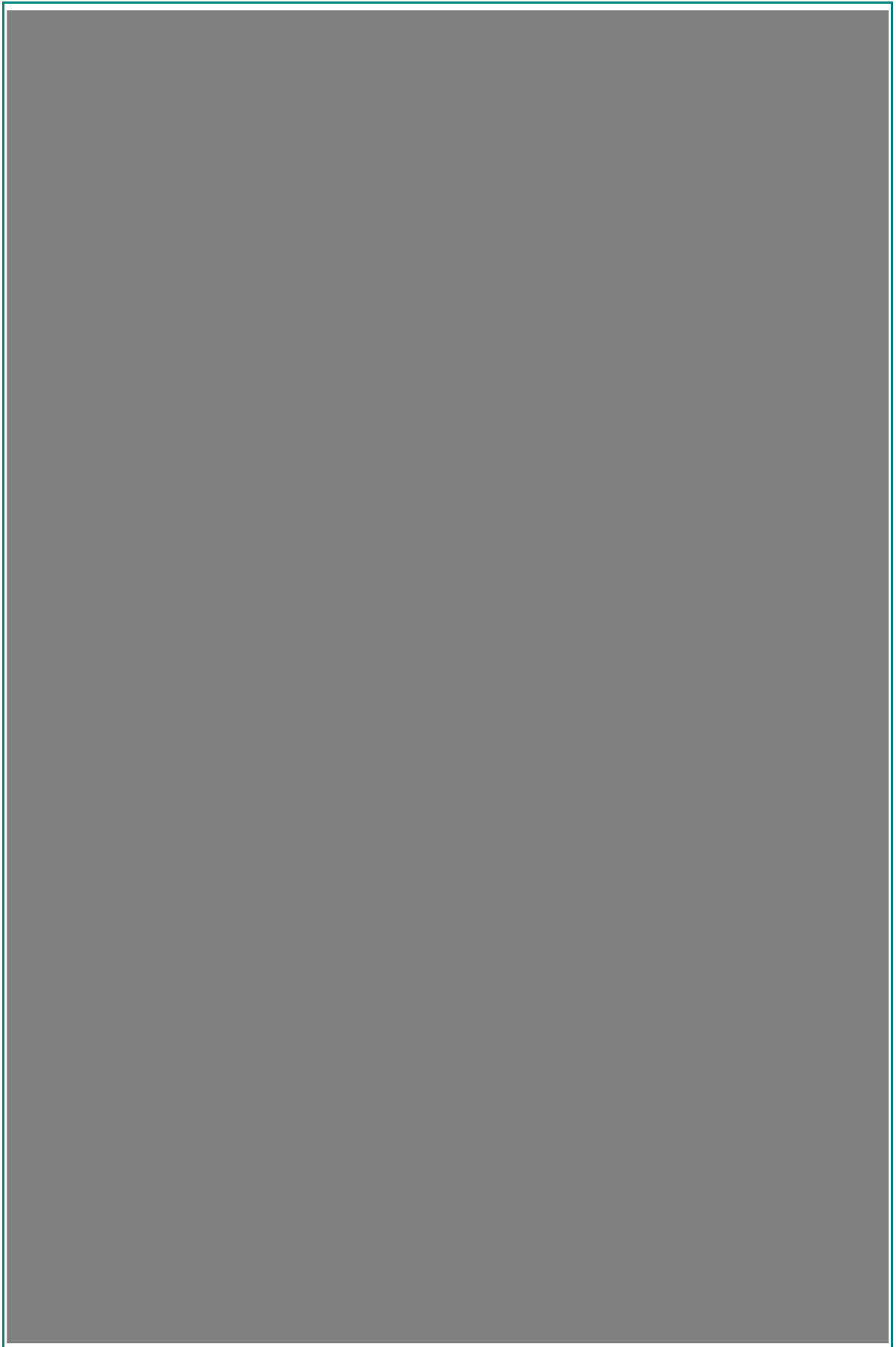
### Requests for further information or submissions, or any other preliminary issues that have arisen

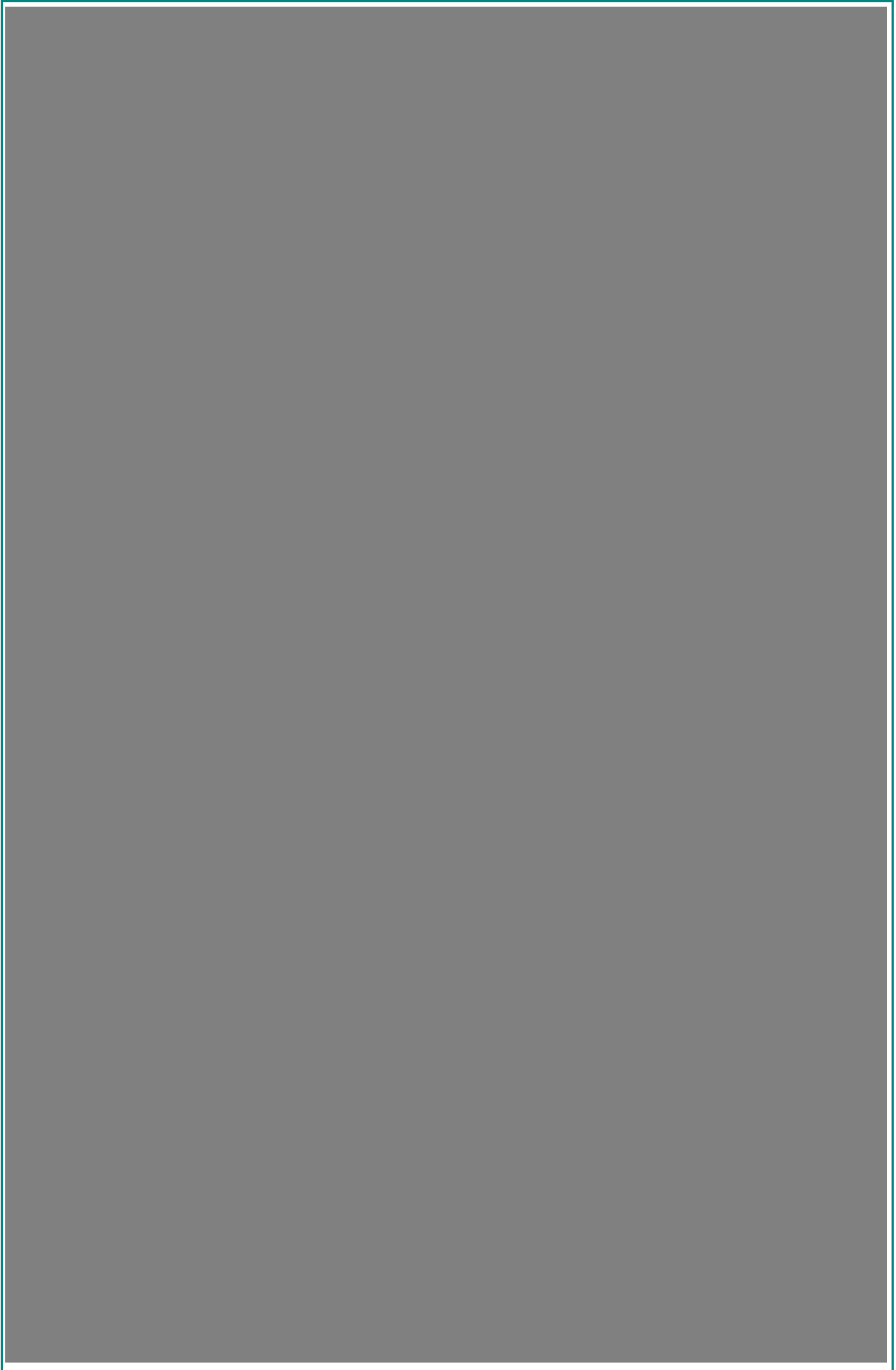
There were several preliminary issues in this case, resulting in three adjournments by the case examiners. In summary, these related to the addition of regulatory concerns, obtaining historic guidance from Social Work England's systems, and proving the social worker with the opportunity to provide further comments. In the case examiners' view, the detailed nature of the preliminary issue section, due to several complex technical issues in respect of obtaining historic information from Social Work England's systems, could detract from the readability of this determination. As such, the case examiners have redacted the information and provided this summary as an alternative. The unredacted version is held in its entirety by Social Work England for transparency.

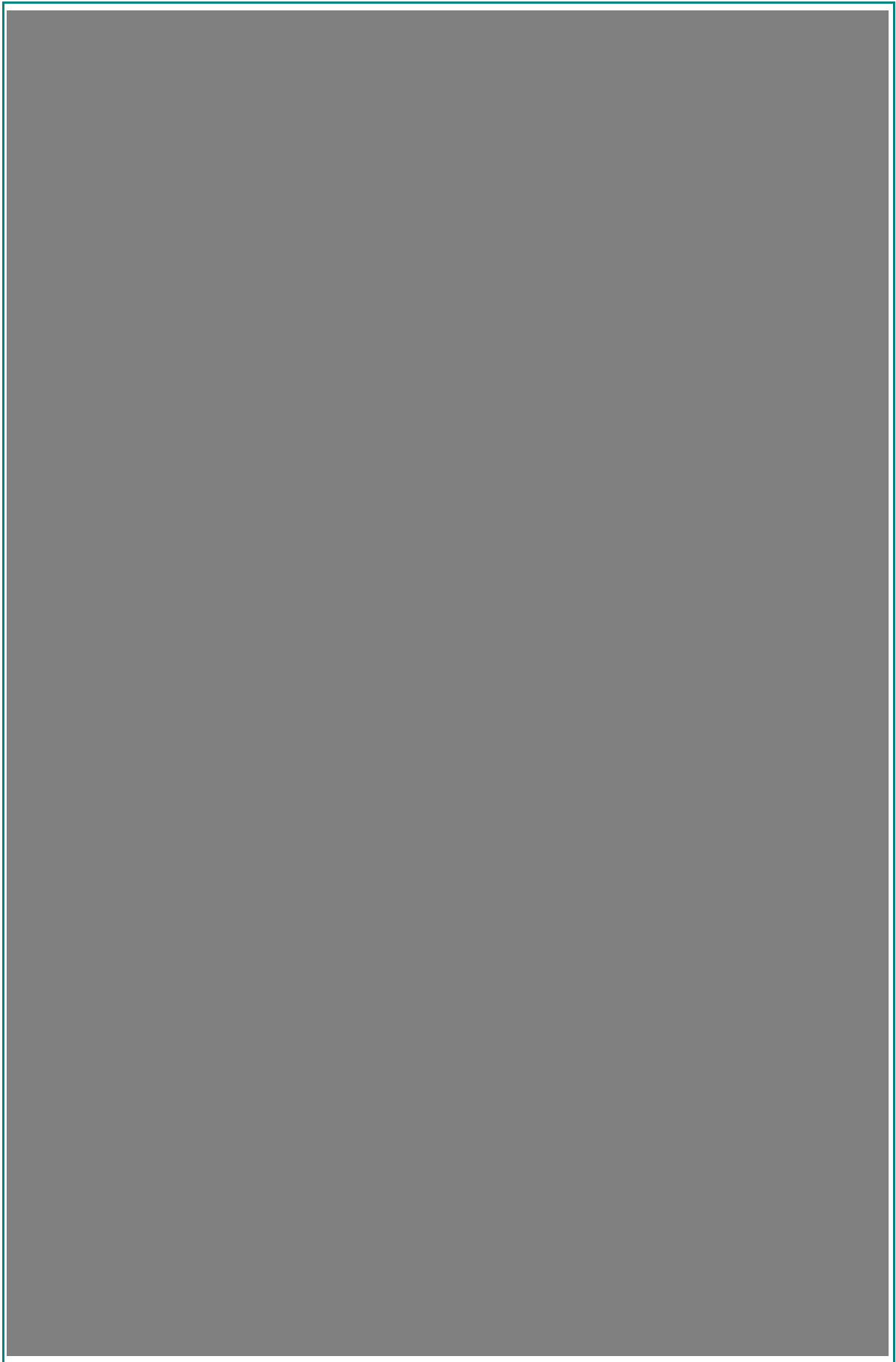
[REDACTED]

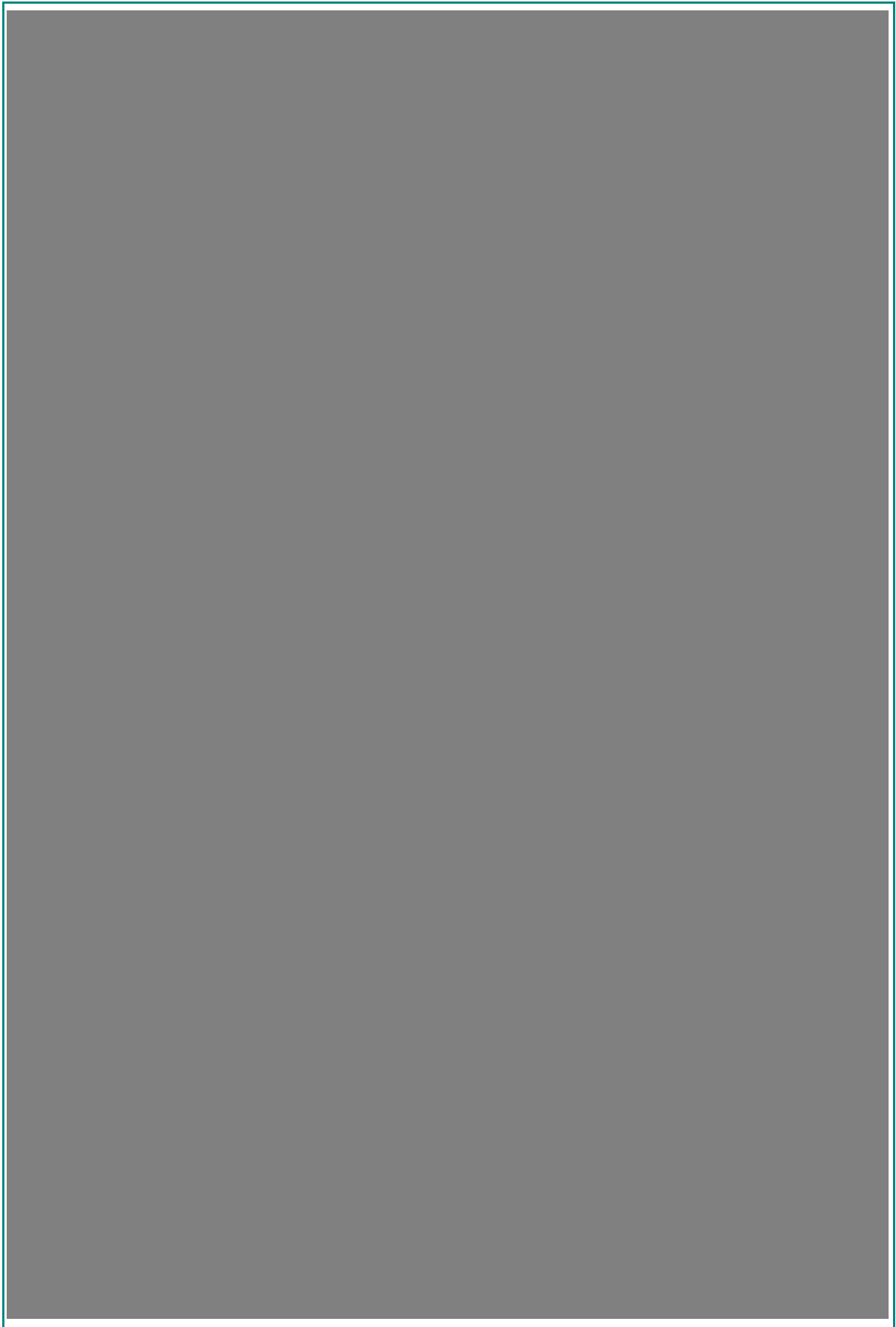


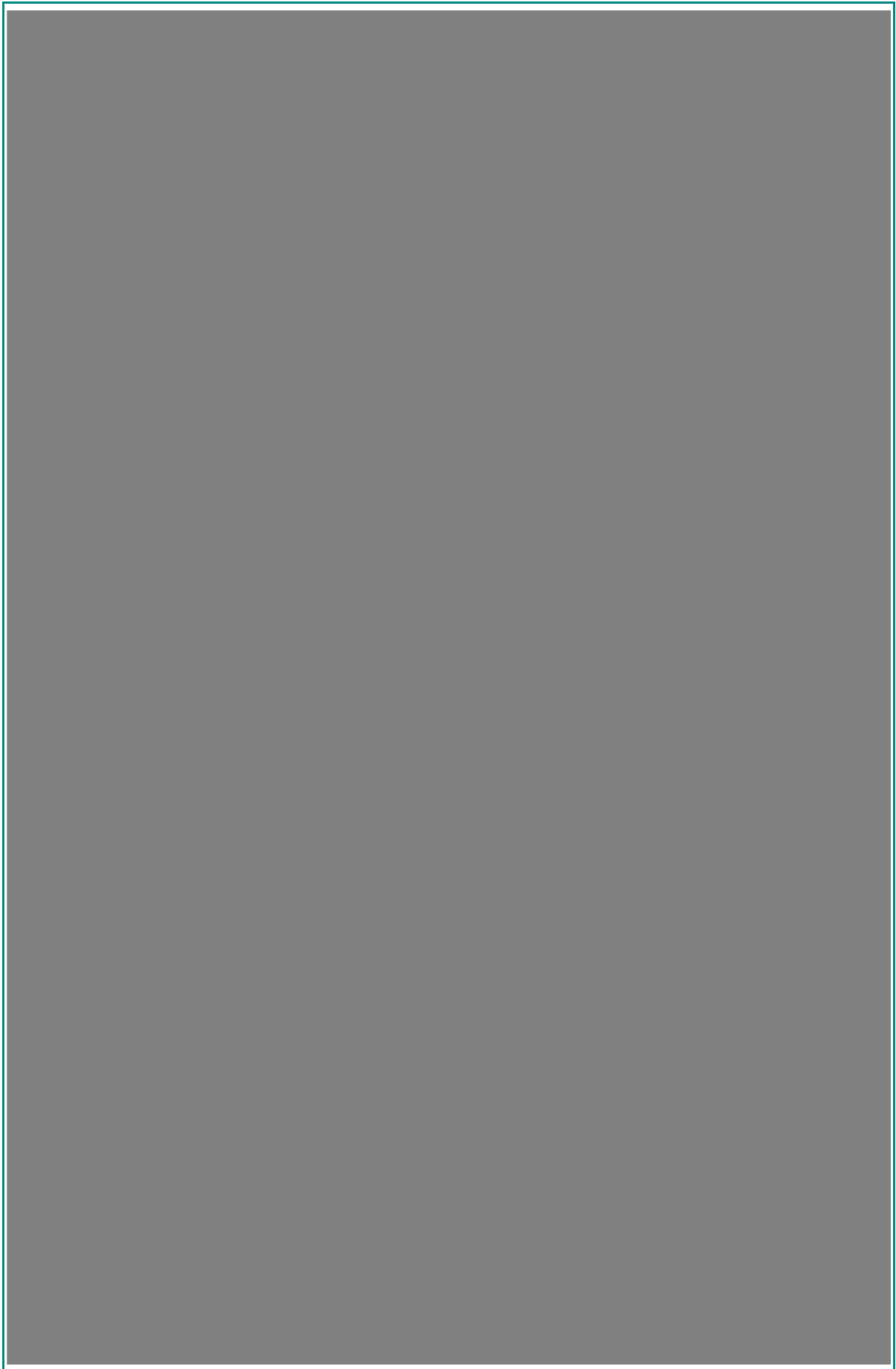


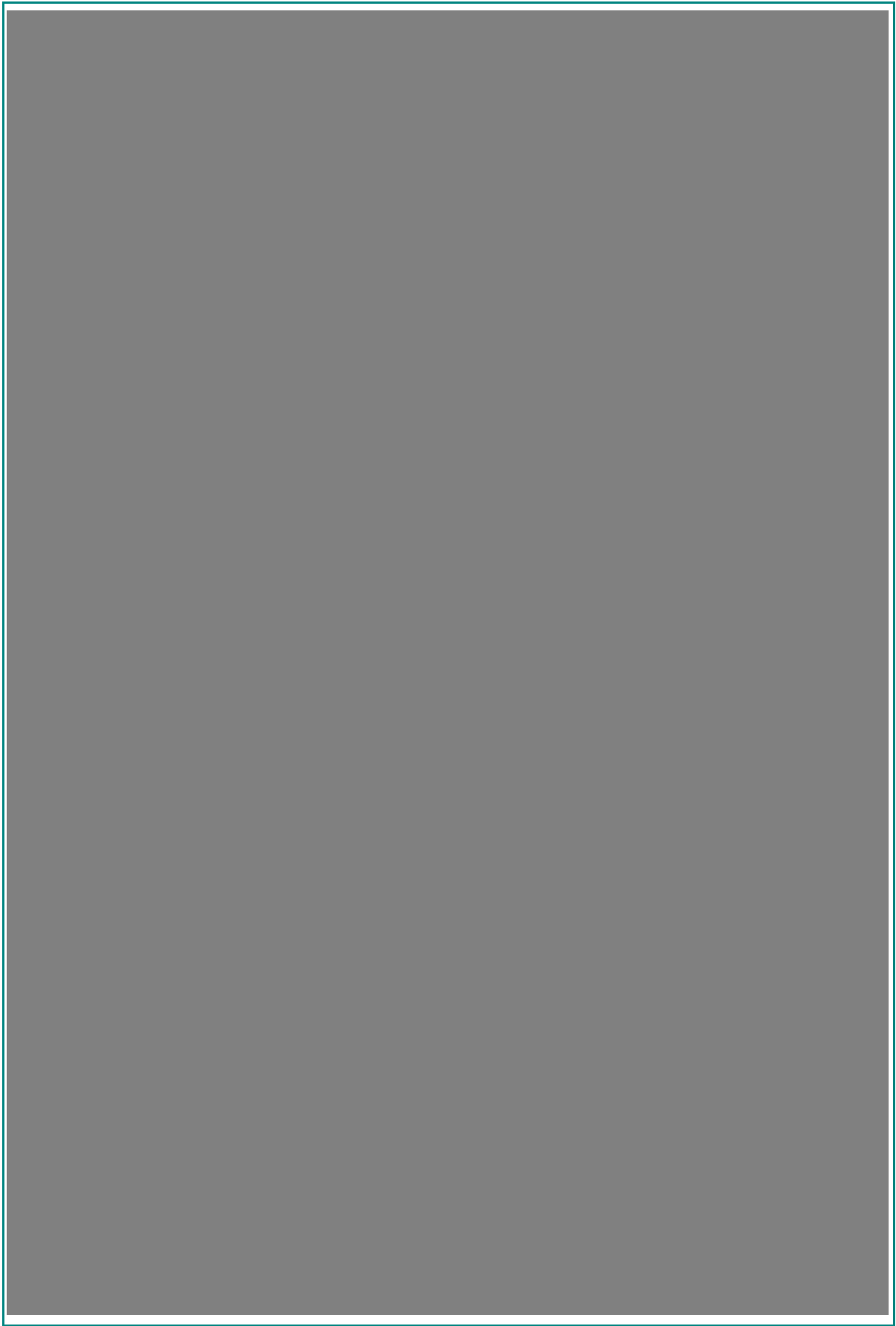


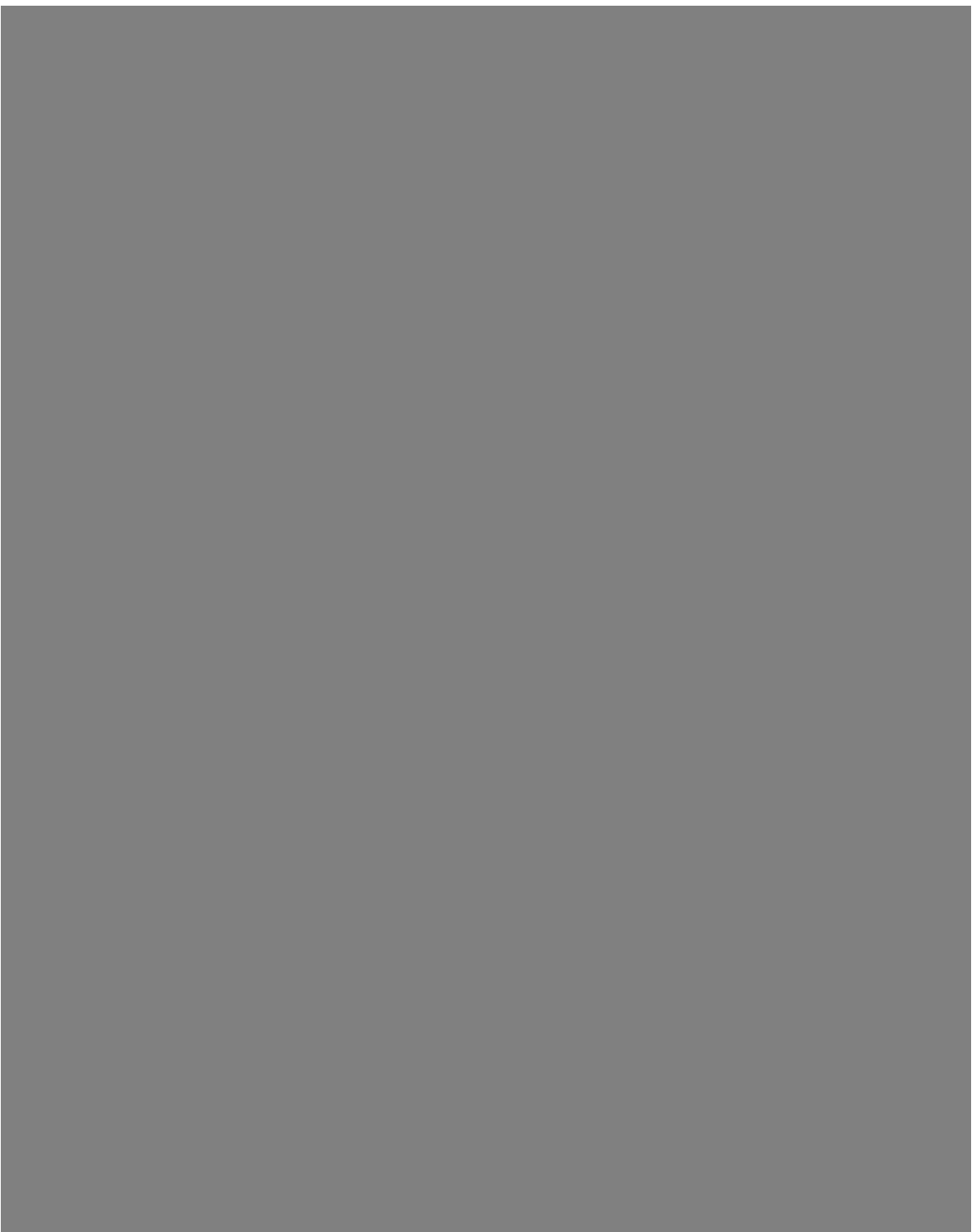












24 September 2025

The case examiners are satisfied that all preliminary issues have now been addressed. As such, they will now continue with their consideration of this case.



## 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 being found proven, that this concern could amount to the statutory ground of misconduct and that the social worker's fitness to practise could be found impaired.

### Reasoning

#### Facts

#### 1. On the 25<sup>th</sup> of May 2021 you sent a voicemail message making a threat to kill.

Firstly, the case examiners stress that in their assessment of this regulatory concern, they are not considering 'a threat to kill' within a criminal context. The case examiners are aware there is a legal definition of a crime with this wording and that, though the social worker was arrested and charged by the police in relation to the matters that gave rise to this regulatory concern, the charge was not for making threats to kill. The social worker was charged by the police for an offence of malicious communications but was not convicted.

The case examiners are aware that the standard of proof is different in criminal proceedings than in fitness to practise matters, with the criminal standard being higher. The case examiners will assess the evidence to see if there is a realistic

prospect of adjudicators concluding that, on the date in question, the social worker sent a voicemail message that contained a threat to kill someone.

The case examiners have had sight of the police summary of the case (MG 5). This details that, on 25 May 2021, the social worker sent two voice messages by way of WhatsApp to a third party known to the social worker and to Person B. The case examiners have been provided with a transcript of the voice messages, from which they highlight the following (contains typographical/grammatical errors):

*'If she spent one of my money, if she does not return the money and spend it, she will not live long on this earth. I am not joking. I am not joking.'*

*'She should tell the people to return my money quick or else what will happen? I will exterminate her roots. With me I will spend money to exterminate her roots I swear [REDACTED] even I will add her children.'*

*'... so tell her give her, give her this message. I have given her this message. Forward this message to her that if she does not return my money and spend even £1 out of the money I swear on [REDACTED] in her grave, I s wear on [REDACTED] in his grave, that come what may.....'*

*'I know what I will do. I know that if truly am seeing [REDACTED] and doing something f or them no problem. I am not a bad person, but me (Person B), me if I kill (Person B).'*

*'Let me tell you what am asking them to do at home she should dodge, but what is coming is coming. If she doesn't want any problem, then she should cancel the thing. She did the first one I warned her, and she cancelled.'*

The social worker does not dispute sending the voicemails to the third party. The social worker states:

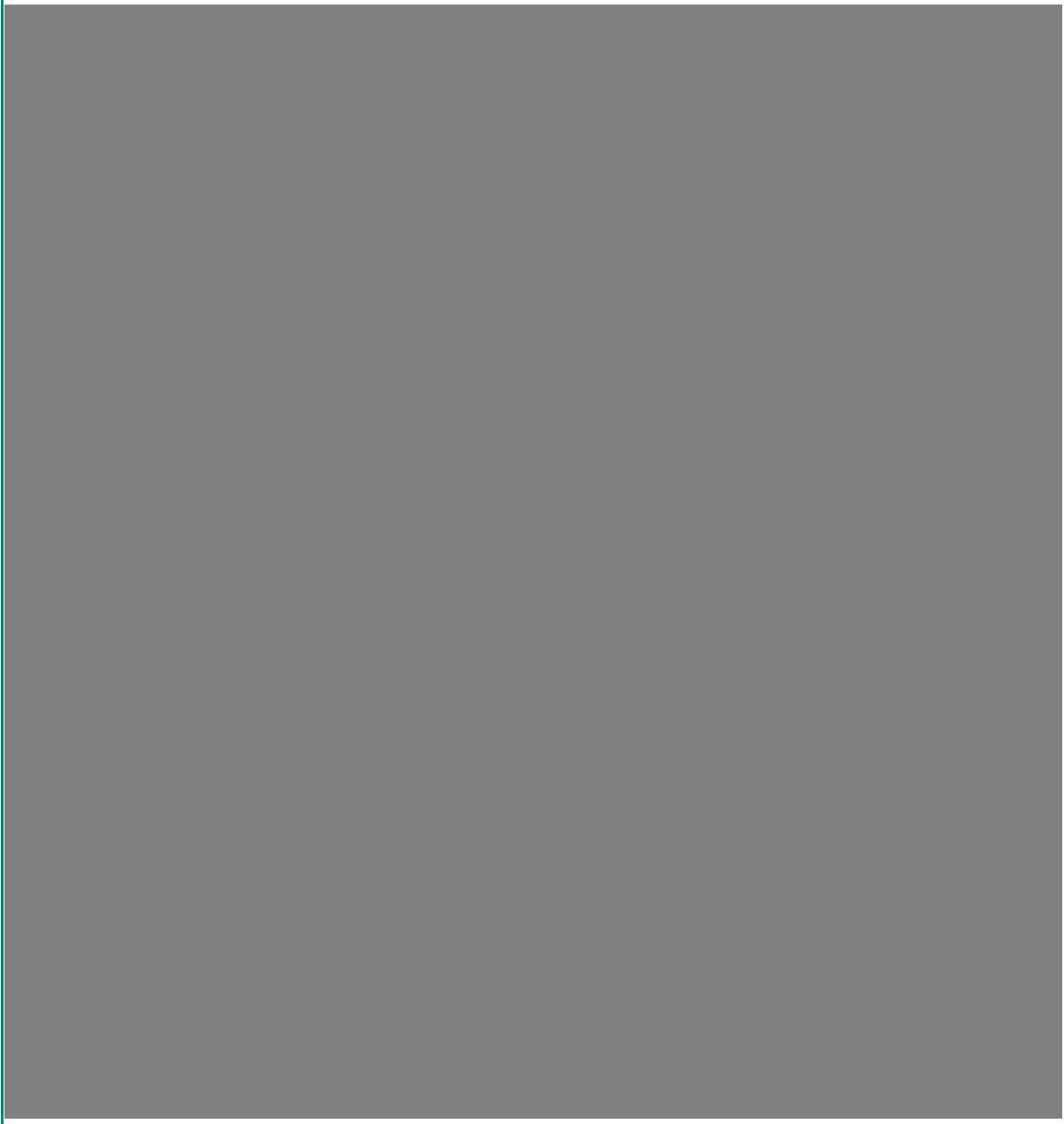
*'It is important to clarify that the voicemail was not directed at (Person B), I was just talking out of emotional pain, and I did not intend to threaten or intimidate her or anyone else. However, I fully appreciate that aggressive-sounding communication, regardless of the intended recipient, can cause distress and raise serious concerns, particularly in the context of safeguarding, professional boundaries, and public confidence in the profession'*

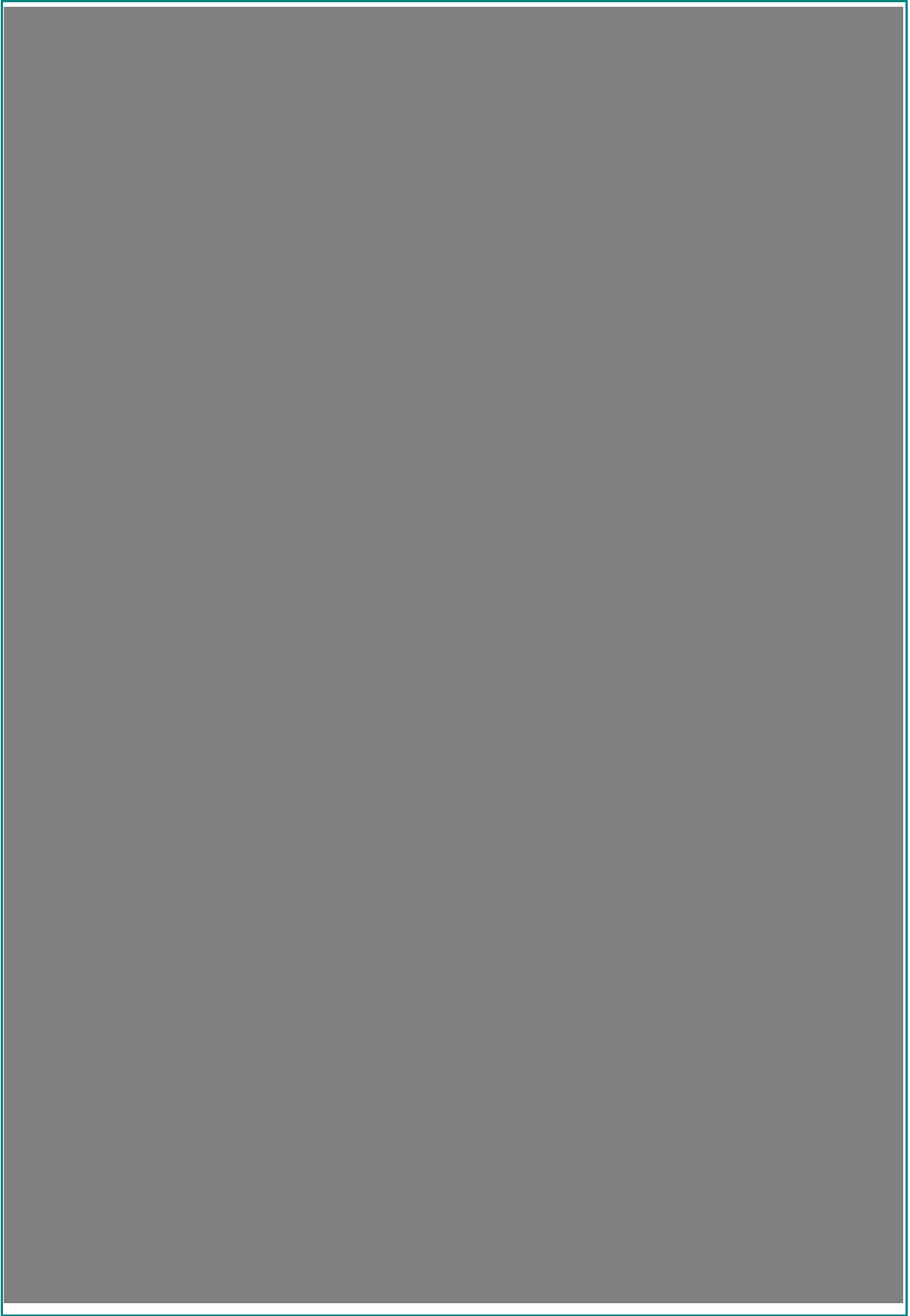
The social worker says that they telephoned the third party and asked them not to share the message with Person B. They explain that the third party sent the message on to their mother, which was how it then reached Person B.

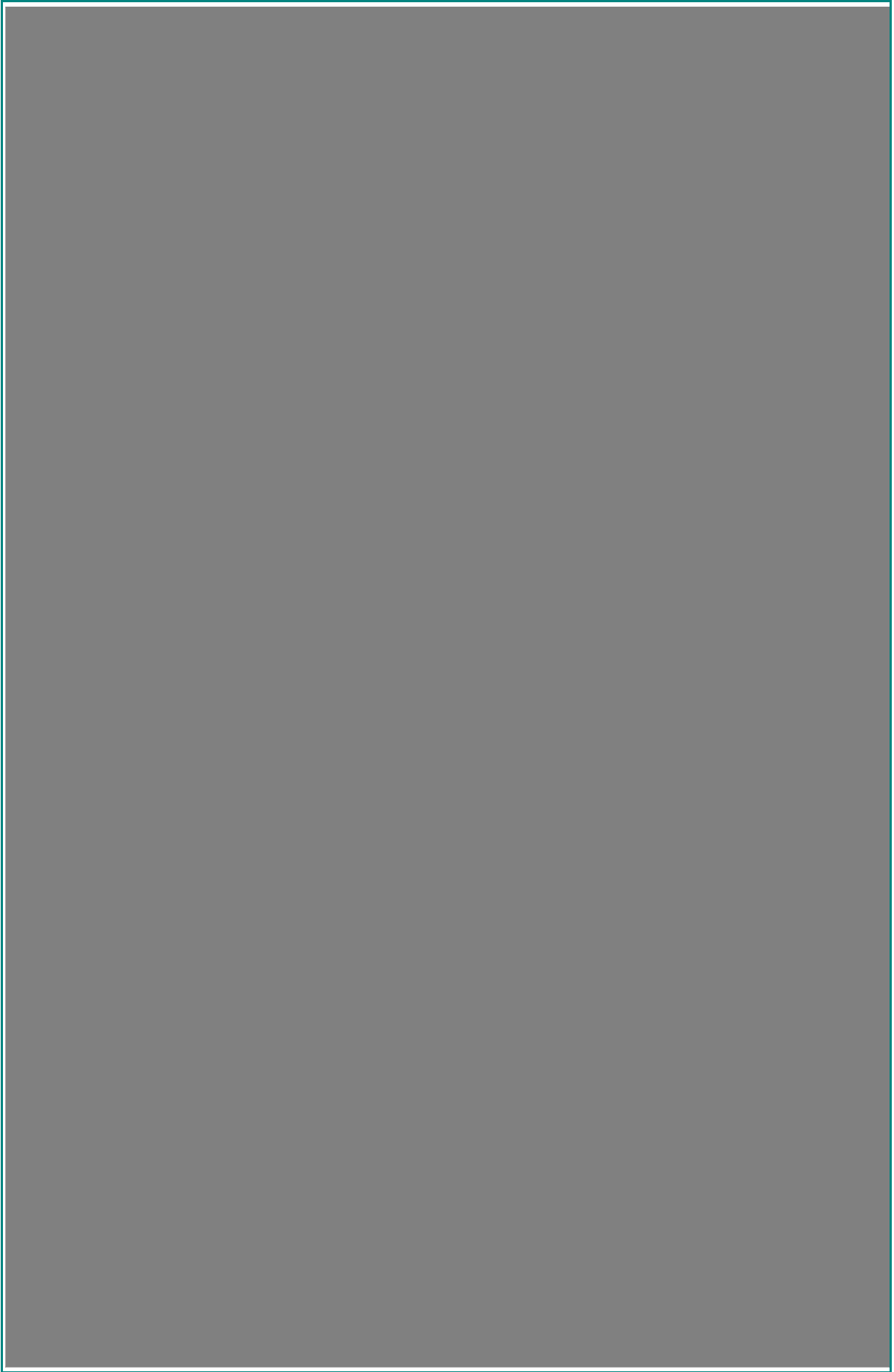
The matter of the social worker's intent (in respect of Person B receiving the messages) is not key to a potential factual finding of this regulatory concern. The transcript does suggest though that, at the time of leaving the message, the social worker had provided a clear indication that the messages should be given to Person B.

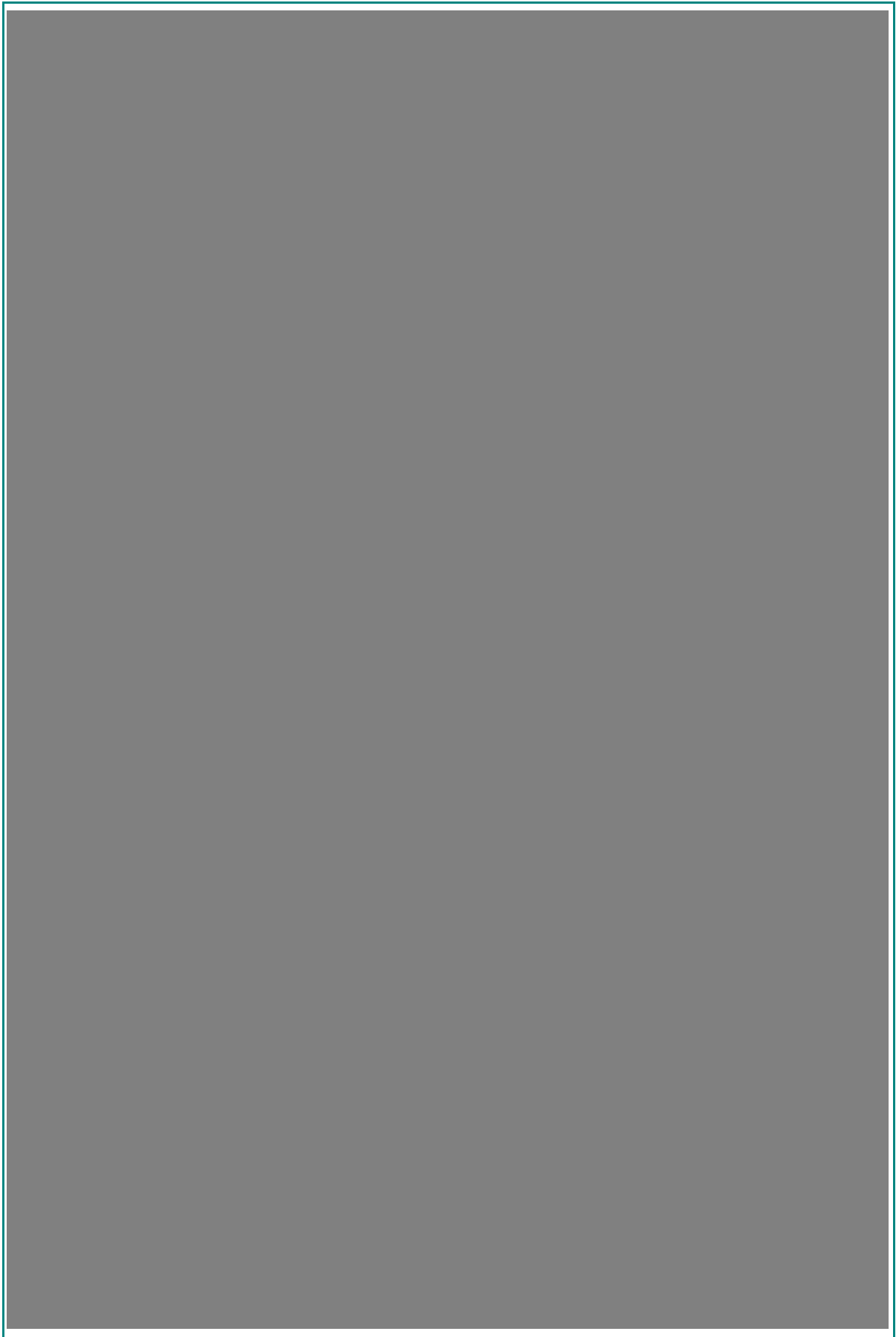
Irrespective, having assessed the transcript, the case examiners are satisfied that the wording as highlighted above, is such that the recipient is likely to deem that threats to kill someone had been made.

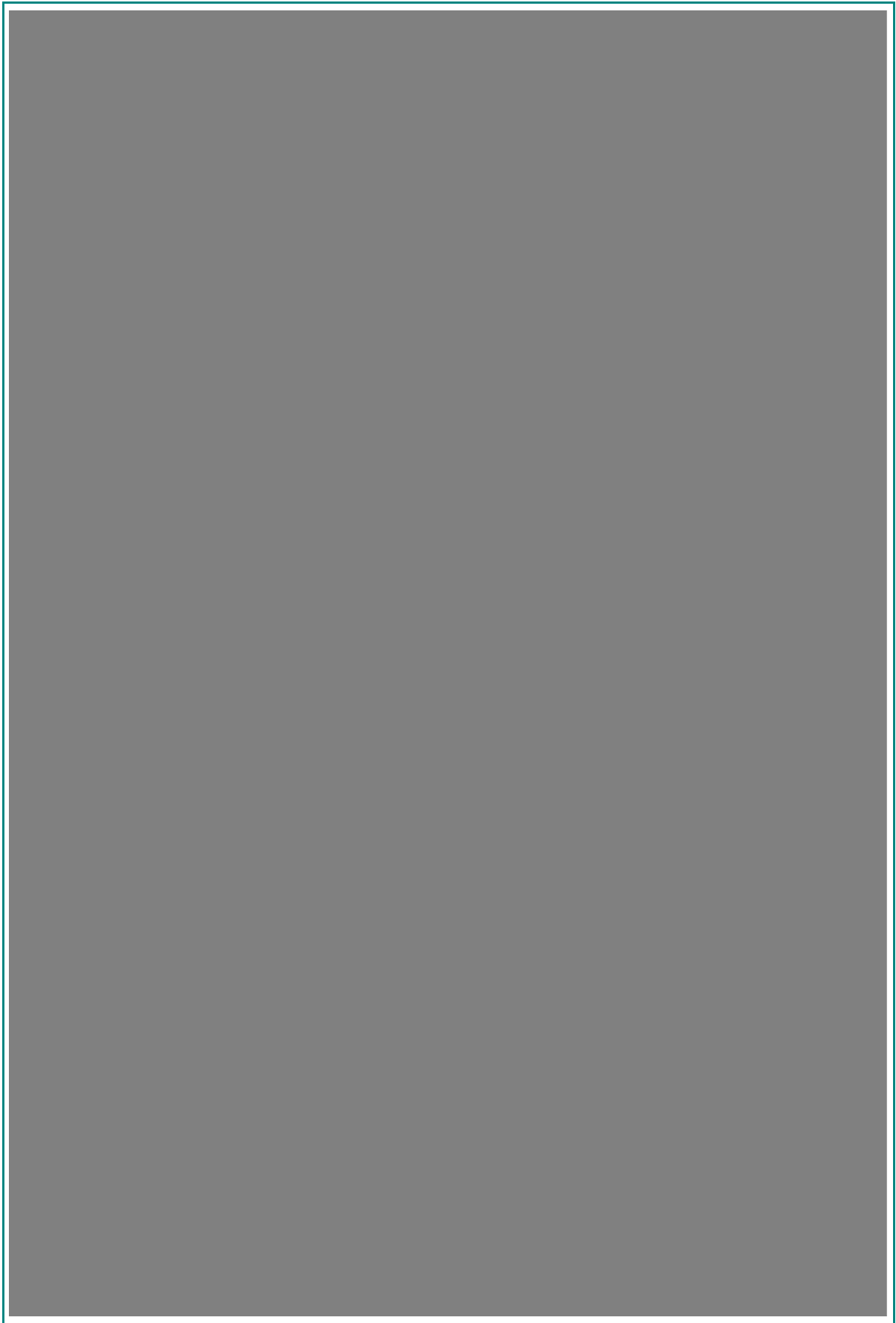
The case examiners are satisfied there is a realistic prospect of this concern being found proven by the adjudicators.

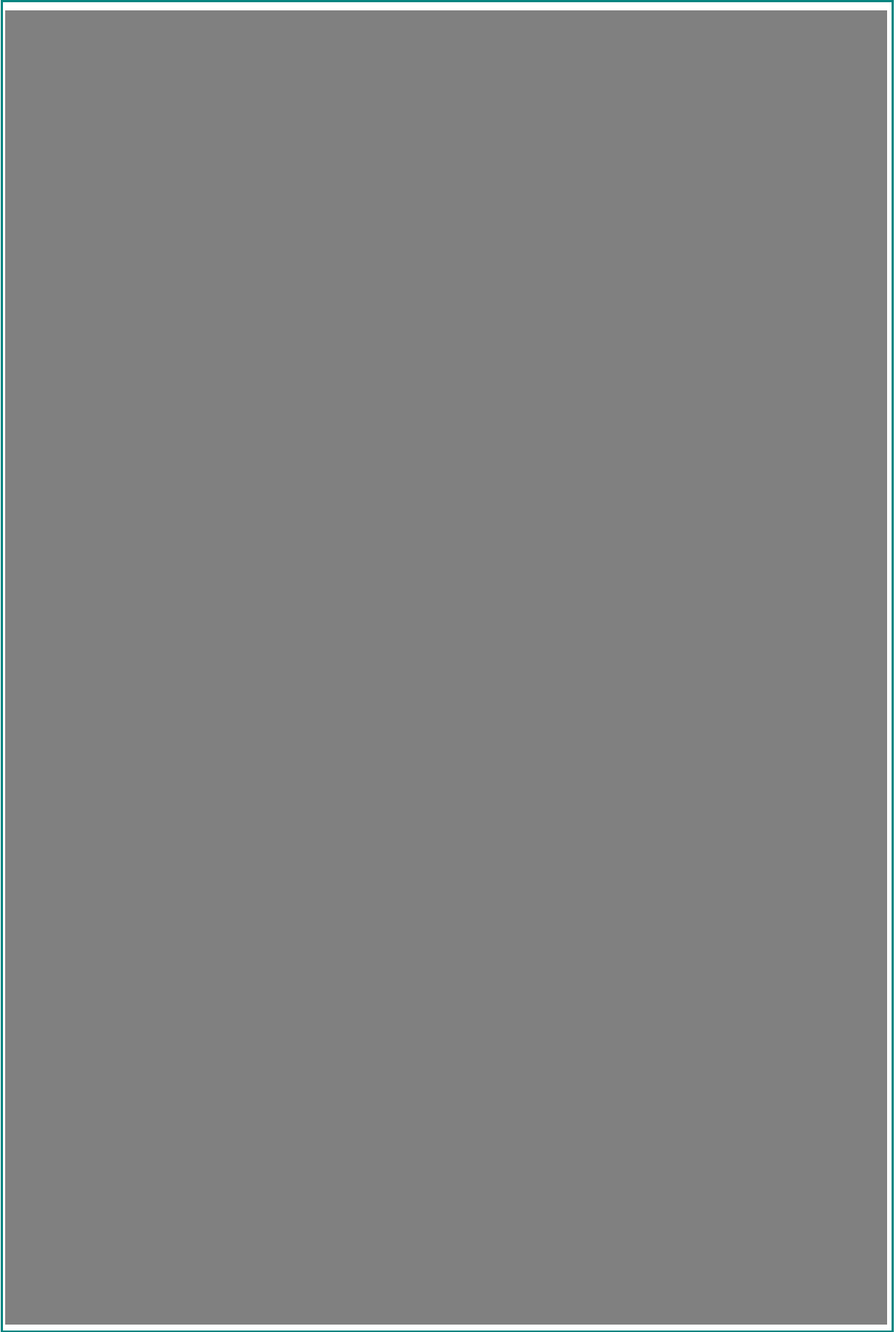




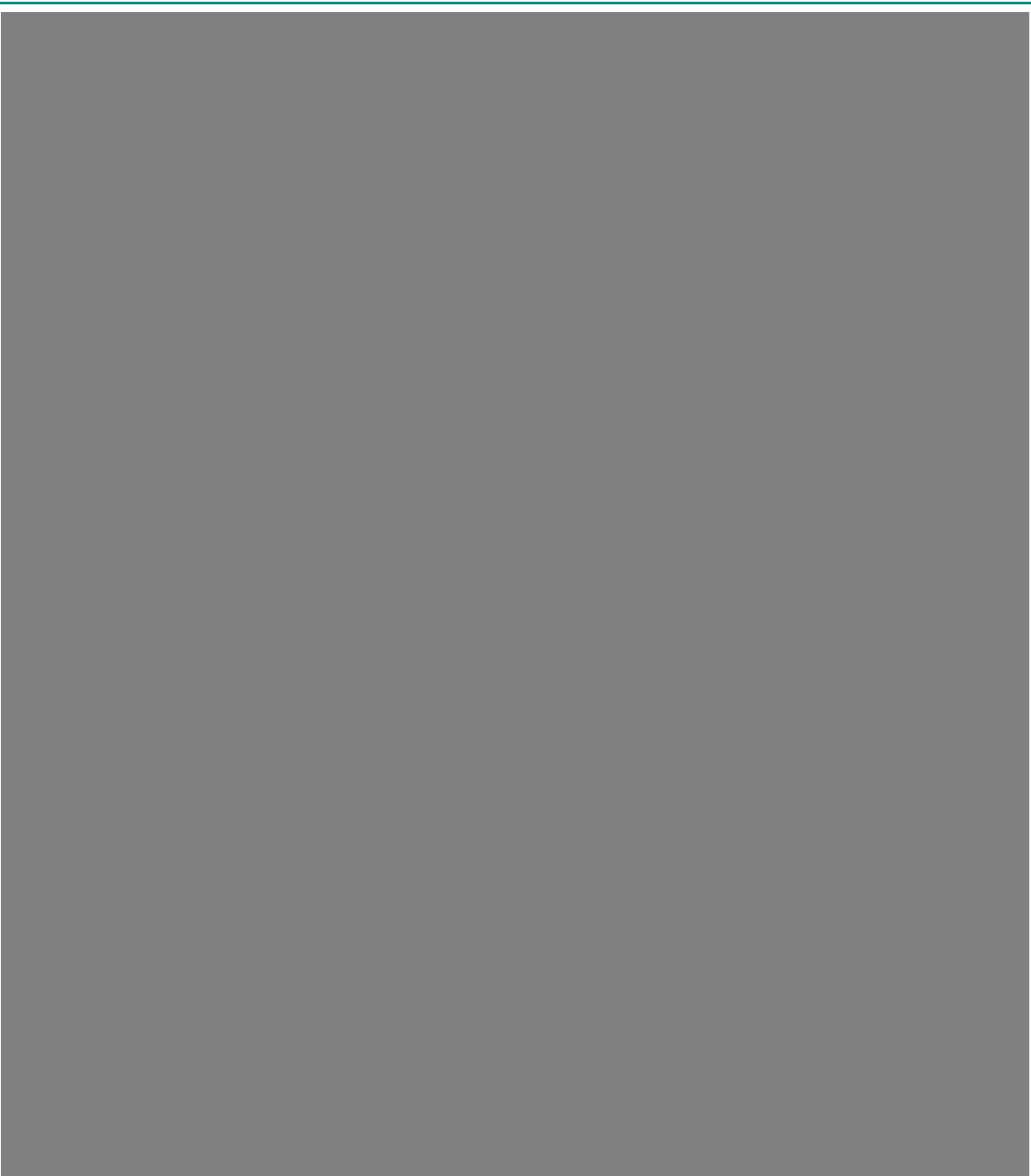












### Grounds

The case examiners must next consider whether, if found proven, regulatory concerns 1 [REDACTED] could amount to the statutory ground of misconduct.

There are generally considered to be two types of misconduct. These are (either of the following):

- misconduct which takes place in the exercise of professional practice

-misconduct which occurs outside the exercise of professional practice, but calls into question the suitability of the person to work as a social worker

The case examiners also note that 'misconduct' denotes serious acts or omissions, suggesting a significant departure from what would be proper in the circumstances.

To help them decide if the evidence suggests a significant departure from what would be proper, the case examiners have considered the following Work England professional standards, applicable at the time of the concerns:

As a social worker, I will not:

5.1 Abuse, neglect, discriminate, exploit or harm anyone, or condone this by others.

5.2 Behave in a way that would bring into question my suitability to work as a social worker while at work, or outside of work.

5.6 Use technology, social media or other forms of electronic communication unlawfully, unethically, or in a way that brings the profession into disrepute.

6.6 Declare to the appropriate authority and Social Work England anything that might affect my ability to do my job competently or may affect my fitness to practise, or if I am subject to criminal proceedings or a regulatory finding is made against me, anywhere in the world



In respect of regulatory concern 1 however, the case examiners are satisfied that this is likely to be considered serious. One way of assessing this (as derived from case law) is to consider if the conduct would be regarded as 'deplorable' by other social workers. The case examiners have also taken into account that for an isolated matter to amount to misconduct, it would have to be considered particularly grave.

The case examiners consider that, notwithstanding the contextual information provided by the social worker around the situation with Person B and the serious financial ramifications that they were faced with, the content of the messages is extremely concerning. The threats would amount to abuse and are highly likely to have caused significant emotional harm to the individual these were aimed at. It is of no real relevance that the social worker states they didn't intend Person B to have heard these (even though the evidence could contradict this assertion). As soon as the messages were created and sent, the risk was created that the individual could be harmed. The impact on other persons hearing these message should also not be discounted. The case examiners consider that the alleged conduct would bring into question the social worker's suitability to work as a social worker, and their use of electronic communication would bring the profession into disrepute. Social workers are often trusted to intervene in domestic related situations, including where two people are separated, the social worker's alleged handling of a domestic matter in their own life would raise serious questions about their suitability to deal with such matters professionally.

The case examiners are satisfied that the alleged conduct at regulatory concern 1, if proven, would be considered deplorable and, though isolated, particularly grave.

If the matters were to be found proven, the case examiners conclude the alleged conduct is very serious and is likely to be considered a significant departure from the professional standards detailed above.

As such, the case examiners are satisfied there is a realistic prospect of adjudicators finding this matter amounts to misconduct, in respect of regulatory concern 1 only.

### Impairment

Having concluded there is a realistic prospect of adjudicators establishing the statutory ground of misconduct in respect of regulatory concern 1, the case examiners must consider whether there is a realistic prospect of adjudicators finding current impairment. The case examiners are aware they must assess both the personal and public elements of current impairment. They will consider each in turn.



The social worker has addressed how they should have done and how they might act or react differently if the same circumstances were to happen again (to avoid reoccurrence of similar concerns.) They state:

- *‘On reflection, I believe I should have sought a legal route to get the issues resolved rather than relying on a family friend who may have their own intentions’*

When assessing insight, it is also important to establish if the social worker demonstrates a genuine understanding of the impact of their actions on others, and the profession. The social worker has stated the following that suggests they do understand this:

- *‘While it was never my intention to cause alarm, I accept that impact is more important than intent, particularly for someone in my position as a registered social worker. The voicemail reflected an emotionally dysregulated state, and I deeply regret the manner in which I expressed myself. I acknowledge that this conduct fell below the standards expected of me personally and professionally.’*
- *‘.....I fully appreciate that aggressive-sounding communication, regardless of the intended recipient, can cause distress and raise serious concerns, particularly in the context of safeguarding, professional boundaries, and public confidence in the profession’*
- *‘I take full responsibility for my actions and acknowledge the impact this incident may have had on others and on the reputation of the social work profession.’*

#### Employment reports and testimonials

Case examiners must carefully look for and assess any objective evidence that might confirm the social worker’s insight. For example, reports from their employer commenting on any reflective work the social worker has undertaken. The case examiners have not been provided with any such information.

Testimonials that provide up to date, credible information about the social worker’s current practice can be relevant when exploring current impairment. Whilst this matter occurred in the social worker’s private life, the case examiners have noted that the social worker’s current employer confirms on 21 July 2025 that the social worker has been employed since January 2024, and states that the social worker:

- *‘maintains thresholds decisions and will appropriately seek case discussions as required and presents as a reflective practitioner’*

- *‘gives clear case directions to his team of social workers, which is evidenced in case supervision notes’.*
- *‘supports his team where necessary, such as circumstances where families may be resistant to social work interventions or present with extremely complex family situations.’*

### Remediation

The case examiners consider that, though the regulatory concern gives rise to potential attitudinal issues, the conduct is remediable through, for example, awareness courses and reflective sessions.

The case examiners are aware that this is best shown by objective evidence. For example, by the successful completion of education or training courses (and information from the social worker to explain what they have learned from these), satisfactory performance appraisals, or other positive feedback in relation to their professional practice.

Whilst the social worker points to relevant reading they have completed, there is no evidence in support of this. The case examiners do note though that the social worker’s submissions are reflective and may have been supported by reading as the social worker asserts.

### Risk of repetition

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. The case examiners have given very careful consideration to this point. Matters that give rise to attitudinal concerns can inherently increase the risk of repetition. However, in this case, the case examiners are assisted by a significant passage of time (almost 4 and a half years), during which there has been no reported repetition of what, on the evidence, must be treated as an isolated incident. Taking all of the information into account the case examiners conclude that the risk of repetition is low.

### **Public element**

The case examiners must now consider the public interest in this matter.

A social worker making threats to kill someone, undoubtedly has the potential to undermine public confidence, irrespective of the personal circumstances that they may have been facing. Such conduct is certainly a significant departure from professional standards. The case examiners are of the view that the regulatory

concern has the potential to undermine the public's trust in the social worker, and in the profession. As such, it is likely the public would expect that a finding of current impairment is made by adjudicators to maintain public confidence in the regulation of the profession.

The case examiners have concluded 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	<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 noted that the social worker has indicated to the regulator that they do not consider their fitness to practise to be currently impaired. Where a social worker does not accept impairment, case examiner guidance suggests that a referral to a hearing may be necessary in the public interest.

However, the case examiners note that the guidance states the social worker must accept the matter of impairment at the point of *concluding* the case and are of the view that this does not prevent them offering accepted disposal prior to this.

The case examiners consider that it is reasonable to offer accepted disposal in this case because:

- There is no conflict in evidence in this case, and the social worker accepts the facts.
- The social worker is clear that they accept that their practice fell short of the standards expected of them.



- The case examiners are of the view that the risk of repetition can be managed, and they have a number of sanctions available to them in order to satisfy the public that this risk is being managed without the need for this to be examined within a public hearing.
- The case examiners recognise that not all professionals will have an innate understanding of how and when the public interest may be engaged, or how exactly this might impact upon findings concerning current fitness to practise.
- The accepted disposal process will provide the social worker an opportunity to review the case examiners' reasoning on impairment and reflect on whether they are able to 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 also 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 providing a steer to the public and the profession on the importance of adhering to the professional standards expected of social workers in England.

## Accepted disposal

### Case outcome

Proposed outcome	No further action	<input type="checkbox"/>
	Advice	<input type="checkbox"/>
	Warning order	<input checked="" type="checkbox"/>
	Conditions of practice order	<input type="checkbox"/>
	Suspension order	<input type="checkbox"/>
	Removal order	<input type="checkbox"/>
Proposed duration	3 years	

### Reasoning

In considering the appropriate outcome in this case, the case examiners had regard to Social Work England's sanctions guidance 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. Furthermore, 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. Paragraph 95 of the sanctions guidance states that, when decision makers find impairment, an outcome of 'no further action' is rare. However, this could be possible in cases where the finding of impairment itself is enough to protect the public or address the public interest.

The case examiners conclude that taking no further action would not satisfy the wider public interest given the seriousness of the regulatory concern.

#### Advice

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 of the social worker's alleged conduct.

#### Warning order

The case examiners then considered whether a warning order would be appropriate in this case. The case examiners are aware that where a social worker's fitness to practise is potentially impaired, they will usually need to ensure the public is protected through some action by the regulator.

The case examiner guidance states that a warning order is likely to be appropriate where (all of 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 case examiners consider that all three of the above points apply in this case.

The case examiners have decided that public protection can be met with a warning order.

The case examiners have considered the length of time for the published warning and consider three years to be proportionate in this case. The case examiners consider that a period of three years is appropriate in the circumstances to maintain public confidence and to send a message to the public, the profession and the social worker about the standards expected from social workers. Whilst the social worker does not require an opportunity to fully address the risk of repetition, the case examiners did not feel that the matter was of low seriousness, so one year was not appropriate. The case examiners did carefully consider if the matter fell marginally short of the need to restrict practice, in light of the nature of the regulatory concern. However, given the concern is isolated, the passage of a significant period of time, and given the low risk of repetition, the case examiners concluded that it did not. As such, five years duration for the warning would be disproportionate, as the order would only expire 9 years after the matter in question took place.

#### Conditions of Practice/Suspension

The case examiners went on to test the suitability of a warning order by considering whether conditions of practice or suspension may have been appropriate in this

case. They concluded that conditions were more relevant in cases requiring some restriction in practice and were not suitable for this case of conviction that related to matters in the social worker's private life. The case examiners considered that suspension from the register would be a disproportionate and punitive outcome in this case. Notwithstanding the seriousness of the social worker's alleged conduct, the case examiners took into account the isolated nature of the regulatory concern, the passage of time without recurrence, that the social worker has demonstrated good insight, and that the risk of repetition is low.

The case examiners considered that suspension from the register would be a disproportionate and punitive outcome in this case.

To confirm, the case examiners have decided to offer the social worker an accepted disposal, this being a warning order of three years duration. The social worker will be provided with 21 days to respond to this proposal. Should the social worker reject the proposal, the matter will proceed to a final hearing.

## Content of the warning

The case examiners formally warn the social worker as follows:

Your conduct at regulatory concern 1 is very serious and demonstrated a serious lack of judgement, putting others at risk of harm. Your conduct could also have a serious detrimental effect on the public's confidence in you as a social worker and may damage the reputation of the social work profession.

The case examiners placed significant weight on the evidence that suggests this matter is isolated, when concluding there is a low risk of repetition and that restriction of your practice is not required. However, should any similar matters be brought to the attention of the regulator, this would bring that conclusion into question.

This conduct should not be repeated. Any further matters of a similar nature brought to the attention of the regulator are likely to result in a more serious outcome.

## First response from the social worker

On 20 November 2025, the social worker responded to the case examiners' accepted disposal proposal. Whilst the social worker stated that they accepted the proposal, the wording was as follows '*...I feel I have no realistic option but to accept the disposal offered.*' The social worker also raised several concerns, as follows:

*In the spirit of cooperation and with respect for the process, I formally request the following:*

- 1. That the wording regarding the alleged "threat to kill" be revised to accurately reflect that it was an allegation which did not result in conviction or a legal finding of guilt.**

*This would ensure fairness, accuracy, and proportionality.*




- 3. That the 3-year warning can be reduced. Given similar cases were given a 1-year warning**

## Case examiners' response

In respect of point 1, the case examiners have explained in detail when examining the facts at regulatory concern 1 why they consider that there is a realistic prospect of adjudicators finding that the social worker did make a threat to kill another person. The case examiners explained that they are not dealing with the criminal offence of threats to kill, and it is not within their powers to do so. The case examiners will not be recommending a revision to regulatory concern 1 and are satisfied this adequately reflects the concern that the regulator has, which is supported by the evidence.





In respect of point three, the case examiners make decisions based on the individual circumstances of each case, on its own merits and in line with guidance, which is available to the public. They are satisfied that the proposed sanction of a three year warning is proportionate in this case.

The case examiners emphasise that the social worker does not have to accept this proposal, and they have the option to proceed to a final hearing if they wish.

In the interests of fairness, the case examiners will provide the social worker with a final opportunity to accept or reject their proposal having read this response. The case examiners will provide the social worker with a further 14 days to make their decision.

### Final response from the social worker

The social worker provided a response on 12 December 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.*

## Case examiners' response and final decision

The case examiners concluded 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, published decision and warning, rather than through a public hearing. They proposed a warning order with a duration of 3 years and the social worker accepted this proposal.

In light of the social worker's acceptance of the warning order, 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 a warning order 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 of 3 years' duration is a fair and proportionate disposal, and is the minimum necessary to protect the public and the wider public interest.