



Case Examiner Decision  
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SW27961  
FTPS-23794

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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	10 March 2026
	Accepted disposal proposed - warning (1 year)
Final outcome	25 March 2026
	Accepted disposal- warning (1 year)

## Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concern 1i being found proven by the adjudicators.



3. There is a realistic prospect of regulatory concern 1i being found to amount to the statutory grounds of misconduct.
4. For regulatory concerns 1i, there is a realistic prospect of adjudicators determining that the social worker's fitness to practise is currently impaired.

The case examiners did not consider it to be in the public interest for the matter to be referred to a final hearing and determined that the case could be concluded by way of accepted disposal.

As such, the case examiners requested that the social worker be notified of their intention to resolve the case with warning order of 12 months' duration. The social worker will have 14 days to respond to this proposal.

On 25 March 2026 the social worker confirmed that they understood the terms of the accepted disposal proposed (warning -12 months' duration) and accepted this in full. The case examiners remain satisfied that this is a fair and proportionate way to address the concerns and is the minimum necessary to protect the public and satisfy the wider public interest.

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.

In accordance with Social Work England's fitness to practise proceedings and registration appeals publications policy, the case examiners have anonymised the names of individuals to maintain privacy. A schedule of anonymity is provided below for the social worker and complainant, and will be redacted if this decision is published.

Person A	
Child A	

## The complaint and our regulatory concerns

### The initial complaint

The complainant	The complaint was raised by the social worker's former employer, City of Doncaster Council.
Date the complaint was received	12 March 2024
Complaint summary	The social worker's former employer raised concerns about the social worker's ability to recognise and respond to risk.

### Regulatory concerns and concerns recommended for closure

Regulatory Concern 1: While registered as a social worker and employed by Doncaster City Council, you did not appropriately recognise and respond to risk, in that:

i. On or around 28th February 2024, you allowed Person A to bathe Child A, which meant they had unsupervised contact, in contravention of an agreed safety plan, placing Child A at risk of unnecessary harm.

Grounds of impairment:

RC1 amounts 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	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
Are the case examiners satisfied that the social worker has had reasonable opportunity to make written representations to the investigators?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
Are the case examiners satisfied that they have all relevant evidence available to them, or that adequate attempts have been made to obtain evidence that is not available?	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>
Are the case examiners satisfied that it was not proportionate or necessary to offer the complainant the opportunity to provide final written representations; or that they were provided a reasonable opportunity to do so where required.	Yes	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>

### Preliminary issues that have arisen

The case examiners have amended the regulatory concerns for the purpose of anonymisation, as per the anonymisation schedule above.

The case examiners are satisfied that the amendments they have made are minor, and they therefore considered it to be unnecessary and disproportionate to delay consideration of the case further by seeking additional submissions from the social worker.

## 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 1i being found proven, that the concern 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: While registered as a social worker and employed by Doncaster City Council, you did not appropriately recognise and respond to risk, in that:**

**i. On or around 28th February 2024, you allowed Person A to bathe Child A, which meant they had unsupervised contact, in contravention of an agreed safety plan, placing Child A at risk of unnecessary harm.**

The case examiners are asked to consider whether the social worker did not appropriately recognise and respond to risk in respect of contact between child A and their father (person A).

A safety plan was in place in respect of child A as they had sustained an unexplained injury at the time in question. Joint police/ social work assessments were ongoing in

respect of who might have caused the injury to child A, with the father and his partner being in the pool of potential perpetrators. The safety plan specified that contact between child A and person A must be supervised by the paternal grandmother. Child A's mother was not in agreement with person A having any unsupervised contact with the child.

The case examiners have seen the safety plan, the social worker's assessment of risk and three supervision records.

The safety plan dated 20 December 2023 states that whilst police inquiries are ongoing child A's contact with their father should be supervised by the paternal grandmother at the grandmother's home. The safety plan also states that the local authority will complete a risk assessment to inform what safe contact between child A and their father might look like in the future. The safety plan is signed by the social worker, child A's parents and the paternal grandmother.

The risk assessment completed by the social worker concludes that on the balance of probabilities the injury to child A was most likely sustained whilst in father and father's partner's care. The social worker recommends that the paternal grandmother continues to supervise contact between child A and their father whilst further support, and assessments are organised. The risk assessment notes that the police took no action against the father, and the local authority conclude that they will continue to support the family through child in need processes.

The supervision records provided are dated 31 January 2024, 23 February 2024 and 11 March 2024. In the final record of supervision dated 11 March 2024, the following is recorded by the social worker's manager:

*“supervised contact took place 28.2.24 [social worker] saw dad with [child A], they provided a meal and [child A] ate at the table. This was a structured observation- they had [them] have one toy out only at a time. [Child A] did display some behaviours which [they do] at mum's such as demanding cake but [dad's partner] hid this away and said it was all gone. Dad showed affection.*

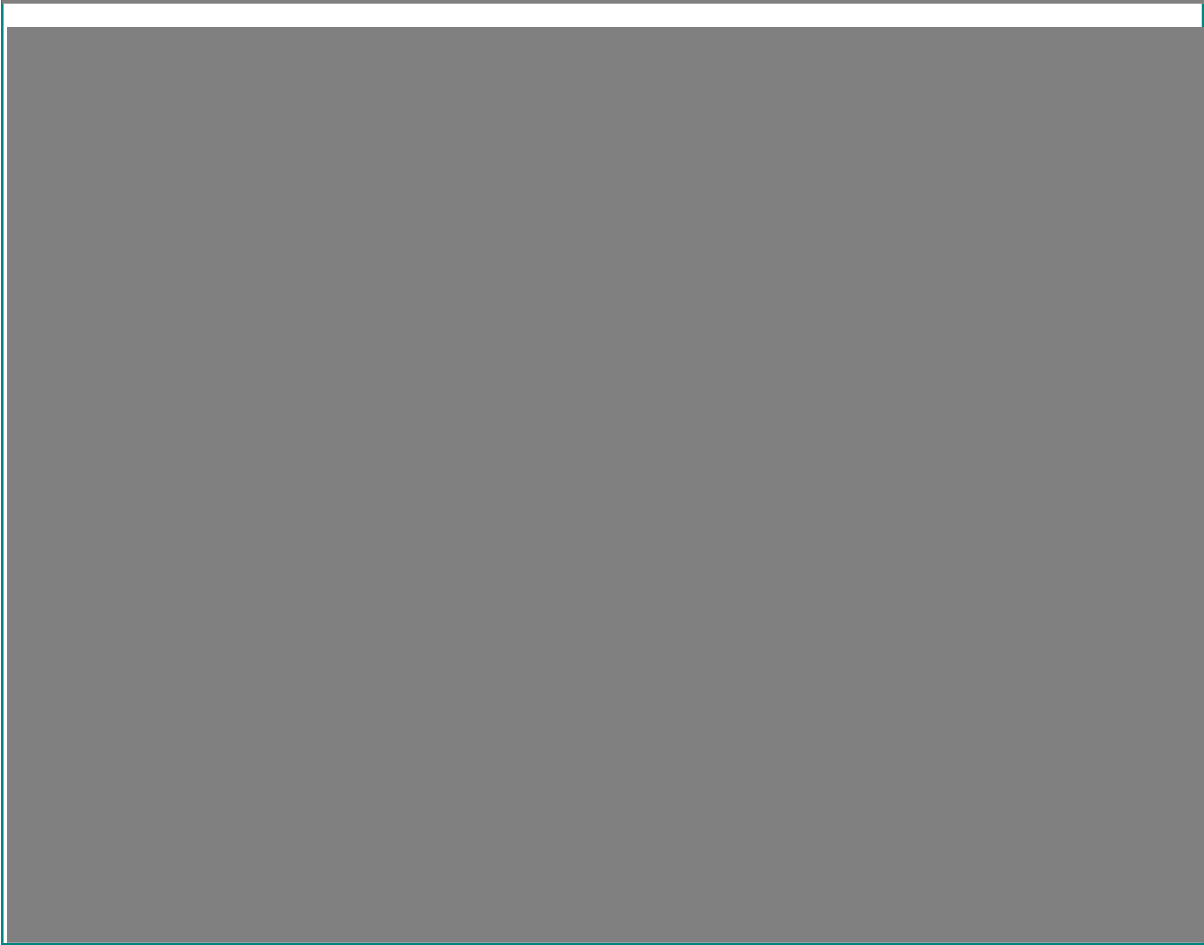
*Dad/[dad's partner]- bathed child A with [social worker] in the home- mum arrived as [child A] was having a bath - [child A] was heard to appear to enjoy bath time and no concerns raised.”*

In submissions the social worker says that the contact which took place on 28 February 2024 was a planned 'assessment observation,' and the social worker was observing and supervising this contact to inform their assessment. The social worker says that they assumed that the safety plan related to family contact and not to an observation contact completed by the assessing social worker. In submissions the

social worker appears to accept that allowing father to bath the child was merging into unsupervised contact and was a mistake.

Having considered the evidence presented to them, as summarised above, the case examiners are satisfied that there is evidence to indicate that the social worker did allow unsupervised contact to take place between child A and person A, i.e. in the form of person A bathing child A without the paternal grandmother or the social worker being present, and that such contact was in contravention of the agreed safety plan.

**The case examiners consider there is a realistic prospect of regulatory concern 1i being 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.

The case examiners have found a realistic prospect of adjudicators finding regulatory concern 1i capable of proof. This regulatory concern relates to potential failures to recognise and respond to risk in respect of child A's contact with their father on 28 February 2024. The case examiners will proceed to consider whether there is a realistic prospect of regulatory concern 1i, if found proven by adjudicators, amounting to the statutory ground of misconduct.

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 Social Work England professional standards, which were applicable at the time of the concerns. The professional standards that may have been departed from are:

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

3.4: recognise the risk indicators of different forms of abuse and neglect and their impact on people. Their families and support networks.

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

The social worker's decision to allow person A to bathe child A would appear to represent a departure from what would be expected under the circumstances. The social worker's conduct could be said to contradict their own documented risk assessment, the safety plan, and underestimate aggravating factors they highlight in their risk assessment such as the extent of the injuries to child A, and the vulnerabilities of child A (a non-verbal child). Failing to ensure the plan was followed on this occasion also had the potential to undermine the safety plan as it may have signalled to person A and the paternal grandmother that the agreed safety plan could be deviated from on other occasions, since it was allowed to be deviated from when the social worker was present in the home.

The social worker's actions were contrary to the safety plan they had signed and agreed with the family, and the advice of their manager, and had the potential to allow a vulnerable child to be exposed to risk of harm.

**The case examiners consider there is a realistic prospect of adjudicators finding the ground of misconduct to be engaged.**

### Impairment

Assessment of impairment consists of two elements:

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

### Personal element

With regards to the concerns before the regulator, the case examiners have given thought to their guidance, and they note that they should 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

In principle the conduct under consideration can be remediated through further training, and/or discussions in supervision.

#### Insight and remediation

In submissions, the social worker says that they have engaged in peer supervision which has helped them to understand that '*merging into unsupervised contact was a mistake.*' The social worker also appears to recognise that their actions might have led to the family having increased expectations that further contact could be unsupervised. The social worker offers an apology for any harm or upset caused.

The social worker has also completed a training course in Probity and Ethics; a training certificate has been provided. The social worker states the training provided them with a better understanding of the regulator and the professional standards. This training however, in the opinion of the case examiners, appears to have limited relevance to the specific concerns under consideration.

The social worker has also identified some action points as follows:

- making clear notes when having important tabletop discussions and ensuring they have understood what has been communicated to them and ensuring they have properly understood these conversations.
- [They] hope to have evidenced a better understanding around safety plans and the process by which change in contact should be progressed for the purpose of assessment work or otherwise.
- They hope to identify gaps in their practice within the area of child protection and hope to move from a position of unconsciously incompetent towards consciously incompetent. With support they hope to move towards consciously competent and finally unconsciously competent within the field of front-line child protection.

The social worker has provided a reflective account in which they accept that they struggled with risk assessments. The social worker also appears to acknowledge some struggles with the pace and expectations of work in child protection services. The social worker says that if they were to be employed in child protection services again, they would benefit from further support and additional training. There is no evidence to suggest that the social worker has sought to engage in any such training as yet.

#### Risk of repetition

The social worker has not been employed in a social work role since February 2024. Whilst there is some evidence of developing insight and remediation, this would appear to be incomplete. The social worker appears to acknowledge the need for further support and training around child protection processes and the assessment of risk, however there is no evidence available to suggest that they have sought to address this through further training as yet. The relevance of the training that has been completed is unclear.

The case examiners have concluded that the risk of repetition remains as the social worker has not undertaken relevant training to remediate the issues of concern, nor have they been employed in a social work role in recent years, so their proposed action plan is as yet untested.

### **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 turned their minds to the social worker's mitigation that although they were not directly supervising the bathtime on the date in question, there could be said to be a low probability of the child being harmed whilst the social worker and other relatives were present in the family home. The case examiners accept that to some extent the presence of the social worker may well have reduced the risk of potential harm at that time, although it also risked signalling to person A that the safety plan also did not need to be followed on other occasions.

The case examiners have outlined in their consideration of the grounds for impairment the potential departure from professional standards. The social worker allowed child A's father to bathe their child unsupervised which was contrary to the safety plan and the social worker's own risk assessment. The social worker's rationale for allowing person A to bath child A is inconsistent with the severity of the injury to the child, the child's perceived vulnerabilities and the unknown elements of who had caused the injuries.

Whilst there is no suggestion that child A was harmed as a result of the social worker's conduct, the case examiner guidance at paragraph 122 reminds them that the risk of harm can be as important as actual harm caused, as if the social worker continues to act in a way which could risk public safety, their actions could cause harm in the future.

In light of the above, the case examiners consider that a fully informed member of the public would be alarmed by the allegations in this case which potentially exposed a

vulnerable child to a risk of harm, and that case examiners considered there to be some risk of repetition remaining. The case examiners consider that the public would consider a finding of impairment and appropriate sanction was required in all the circumstances of this case.

Accordingly, the case examiners have concluded there is a realistic prospect that a finding of current impairment would be made by adjudicators, should the regulatory concerns be found proven.

## 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 must now turn their minds to whether it is in the public interest for this matter to be referred to a final hearing to be considered by adjudicators. Whilst the case examiners have determined there is a realistic prospect that adjudicators would find the public interest is engaged in this case, they are of the view that the public interest can be satisfied by their decision, and the reasons for that decision, being published on Social Work England's public register which can be found on its website. The case examiners are satisfied that:

- The matter is not so serious that consideration needs to be given by adjudicators with regard to removing the social worker from the register.
- There is not a dispute regarding facts at the core of this case.
- This is not the type of case where public confidence in the profession will be damaged by not holding a public hearing.

- The publication of this decision will provide the social worker with an opportunity to reflect on and gain further insight into the circumstances of this case.
- The publication of this decision will also highlight behaviour that falls short of acceptable standards in social work and will act as an example to other members of the profession.
- The publication of this decision demonstrates that swift and appropriate action is taken in cases of alleged wrongdoing, thus enhancing the public's confidence in the social work profession.

Lastly, public interest also entails the need for proportionate decision-making. The case examiners consider it is in the public interest to bring this matter to a prompt conclusion, whilst also ensuring the public remains adequately protected.

For the reasons stated, the case examiners have decided it is not in the public interest to refer this matter to adjudicators; rather they will write to the social worker and ask them to agree to dispose of this case without the need for a hearing. The case examiners propose an accepted disposal warning order of 12 months duration.

## Interim order

An interim order may be necessary for protection of members of the public	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>
An interim order may be necessary in the best interests of the social worker	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>

## 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	12 Months	

### 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.

#### Mitigating factors

- The social worker has engaged with the process, and accepts the concerns
- The regulatory concerns appear to represent an isolated incident.

#### Aggravating factors

- Remediation and insight are developing but incomplete
- The social worker has been out of practice since these concerns arose.

In determining the most appropriate and proportionate outcome in this case, the case examiners considered the available sanctions in ascending order of seriousness. The case examiners considered taking no further action but considered

that this would not be appropriate in this instance as it would not satisfy the wider public interest.

The case examiners next considered whether offering advice 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 social worker's conduct, which had the potential to expose a vulnerable child to risk of harm.

The case examiners then considered a warning order. A warning order implies a clearer expression of disapproval of the social worker's conduct than an advice order, and the case examiners concluded that a warning order is the appropriate and proportionate outcome in this case; and represents the minimum sanction necessary to uphold the public's confidence. When considering a warning order, case examiners can direct that a warning order will stay on the social worker's register entry for periods of one, three or five years. According to case examiner guidance, 12 months might be appropriate for an isolated incident of relatively low seriousness where the primary objective is to send a message about the professional standards expected of social workers; 3 years might be appropriate for more serious concerns to maintain public confidence and to send a message about the professional standards expected of social workers; and 5 years might be appropriate for serious cases that have fallen only marginally short of requiring restriction of registration, to maintain confidence in the profession and where it is necessary to send a clear signal about the standards expected.

The case examiners consider that a 12-month warning order would be a proportionate response in this instance. While the case examiners do not view the incident as of relatively low seriousness, they have noted that it was an isolated incident in an otherwise unblemished social work career and that the social worker has demonstrated some developing insight into the issues of concern and outlined their plans to begin remediation.

The case examiners consider that a warning order of 3 years or 5 years duration would be disproportionate under the circumstances, as the regulatory concern found capable of proof would appear to be an isolated incident. This is not a matter that has fallen marginally short of requiring a restriction of practice.

The case examiners have tested their proposed sanction by considering whether Conditions of Practice would be more suitable. In this instance the social worker has identified an action plan to take forward should they return to social worker practice, and the case examiners are satisfied that should this be implemented, alongside a

12-month warning order this is sufficient to protect the public and the wider public interest, and represents the least severe sanction necessary.

The case examiners have decided to propose to the social worker a warning order of 12 months' duration. They will now notify the social worker of their intention and seek the social worker's agreement to dispose of the matter accordingly. The social worker will be offered 14 days to respond. If the social worker does not agree, or if the case examiners revise their decision regarding the public interest in this case, the matter will proceed to a final hearing.

## Content of the warning

The case examiners formally warn the social worker as follows:

You must ensure that your knowledge and skills in risk assessment are appropriate to any area of social work practice you may return to.

You must ensure that you adhere to Social Work England professional standards and in particular:

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

3.4: recognise the risk indicators of different forms of abuse and neglect and their impact on people. Their families and support networks.

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

This conduct should not be repeated.

The regulator will take a dim view on any similar incidents brought to their attention; it may also lead to a more serious outcome. This warning will remain published for 12-months' duration.

## Response from the social worker

On 25 March 2026 the social worker confirmed that they had read the case examiner's decision and the accepted disposal guide. The social worker confirmed that they understood the terms of proposed disposal of their case and accepted them in full.

## Case examiners' response and final decision

The case examiners have reviewed their decision, paying particular regard to the overarching objective of Social Work England: protection of the public, the maintenance of public confidence in the social work profession and upholding professional standards. The case examiners are satisfied that an accepted disposal (warning -12 months' duration) is a fair and proportionate way to address the concerns and is the minimum necessary to protect the public and satisfy the wider public interest.