

Case Examiner Decision
Tawona Makonyere – SW147939
FTPS-24480

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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	3 December 2025
	Accepted disposal proposed - warning order (1 year)
Second preliminary outcome	22 December 2025
	Accepted disposal proposed - warning order (1 year)
Final outcome	12 January 2026
	Accepted disposal - warning order (1 year)

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concern 1 being found proven by the adjudicators.
2. There is a realistic prospect of regulatory concern 1 being found to amount to the statutory ground of conviction or caution in the United Kingdom for a criminal offence.
3. For regulatory concern 1, there is a realistic prospect of adjudicators determining that the social worker's fitness to practise is currently impaired.

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

As such, the case examiners requested that the social worker be notified of their intention to resolve the case with a warning order of 1 year. The social worker replied on 16 December 2025 and requested that the outcome be changed to that of advice. The case examiners are unable to change the outcome and have given the social worker another opportunity to agree to the proposed outcome of a warning. The social worker accepted this proposal on 8 January 2026.

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 [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.

The complaint and our regulatory concern

The initial complaint

The complainant	The complaint was raised by way of a self-referral by the social worker.
Date the complaint was received	14 May 2025
Complaint summary	The social worker informed the regulator that they had been involved in a road traffic collision and when the police had attended the event, the police had breathalysed the social worker. The social worker was over the legal alcohol limit and was therefore charged with driving under the influence of alcohol.

Regulatory concern

1. While registered as a social worker, on 8 May 2025 you were convicted of driving a motor vehicle while over the prescribed alcohol limit.

The matters outlined in regulatory concern 1 amount to the statutory ground of conviction or caution in the United Kingdom for a criminal offence.

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

Preliminary issues

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

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

The 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 a conviction or caution in the United Kingdom for a criminal offence, and that the social worker's fitness to practise could be found impaired.

Reasoning

Facts and Grounds

1. While registered as a social worker, on 8 May 2025 you were convicted of driving a motor vehicle while over the prescribed alcohol limit.

The case examiners have seen the social worker's initial self-referral, along with the police evidence, and the Court Extract from Leicester Magistrates' Court.

The police documentation states that the social worker was arrested on 20 April 2025, after being involved in a road traffic accident. The social worker initially did not want to provide a sample of breath and explained to the police, that they were a social worker and could lose their job. However, shortly afterwards they provided a positive roadside sample. Subsequently the social worker was arrested and taken to custody where the evidential reading was 88 microgrammes of alcohol in 100 millilitres of breath.

The Court Extract from Leicester Magistrates' Court states that the social worker pleaded guilty and was convicted on 8 May 2025 for driving a motor vehicle when alcohol level above legal limit and they were disqualified from driving for 22 months, reduced by 22 weeks if they completed a drink awareness course. They were also given a £500 fine.

The social worker in their submissions accepts this concern.

The evidence suggests that the social worker was convicted of the offence as set out in the regulatory concern.

The case examiners are satisfied there is a realistic prospect of adjudicators finding this concern proven. Furthermore, the case examiners are satisfied there is a realistic prospect of adjudicators finding that this amounts to the statutory ground of conviction or caution in the United Kingdom for a criminal offence.

Impairment

Personal element of impairment

In considering the personal element of impairment, the case examiners have considered the test for personal impairment as set out in the case examiner guidance (2022), namely whether the conduct is remediable; whether the social worker has undergone remediation and demonstrated insight; and whether there is a likelihood the matters alleged will be repeated.

The social worker has shown remorse into their actions and did so from an early stage. They self-referred to the regulator, informed their employer immediately and has engaged in the regulatory process.

The social worker has shown insight into their alleged conduct and recognised the potential impact their conduct could have on the public and the wider profession. The social worker recognises that their conduct had the potential to put people at risk of harm and also impact on the public's confidence in them and the profession.

They state in their submissions, *'I am truly sorry for the poor decision I made that day, thinking I was safe to drive. I feel deeply remorseful for my actions, and I take full responsibility for everything that happened...It has also made me reflect on my choices and the importance of being accountable for my actions'*.

Further, the social worker stated, *'I am extremely grateful that no one was hurt, but I remain aware of how serious the consequences could have been'* and *'This experience has been a humbling lesson that has reminded me of the importance of personal*

responsibility and integrity, both as an individual and as a professional representing the social work profession’.

The social worker has recognised that they made a mistake in their assumptions around when it was safe to drive. They state that following the incident they have engaged in self-reflection, journalling and supervision discussions focused on professional boundaries and personal conduct. However, the case examiners note that they have no independent verification of this, and it is not clear what steps the social worker may take to avoid acting in the same way (i.e. ‘drink driving’) in the future.

In terms of remediation, the case examiners note that the social worker was offered a drink awareness course, and the case examiners have seen confirmation that the social worker has completed this. The social worker states that this has given them invaluable insight into the risks and effect of alcohol on judgement and driving ability.

The case examiners have seen a reference from the social worker’s current employer which states that the social worker informed them immediately and that they have no concerns about the social worker’s presentation in the workplace, or their general fitness to practise.

The case examiners have concluded that whilst the social worker could have provided more insight into how they may avoid this in the future, they have demonstrated insight and undertaken remediation, therefore, the case examiners are satisfied there is a low risk of repetition.

Public element of impairment

The case examiners next considered whether the social worker’s actions have the potential to undermine public confidence in the social work profession, or the maintenance of proper standards for social workers. Public interest includes the need to uphold proper standards of conduct and behaviour and the need to maintain the public’s trust and confidence in the profession.

The case examiners, when assessing the public interest, have had regard to the drink and drug driving policy (December 2022) which guides the case examiners to consider aggravating and mitigating factor when assessing how seriously the public would view the alleged conduct. In the absence of any aggravating factors, the guidance suggests that it would be unlikely that a finding of impairment or sanction would be imposed.

In this instance, the case examiners have identified the following aggravating factors:

- The social worker received a driving ban of 22 months, which was to be reduced by 22 weeks following the completion of a drink awareness course.

- The level of alcohol was twice over the legal limit.
- Whilst no actual harm was caused, the social worker was involved in a road traffic accident, causing damage to the other vehicle.

The case examiners have then considered the following mitigating factors:

- This evidence suggests that this was the social worker's first offence.
- The social worker has demonstrated remorse and insight into their behaviour.
- The social worker is of otherwise good character.

The case examiners are satisfied that the social worker has taken appropriate steps to remediate, and the risk of repetition is low. However, they remind themselves that the social worker's actions had the potential to harm others as their decision that day resulted in a road traffic accident. It may be argued that by mere good fortune no harm was caused to others, however, there may have been emotional harm present for the occupants of the other vehicle.

The case examiners consider that members of the public may lack confidence in a social worker who was arrested as a result of a road traffic accident and was found to be twice over the legal alcohol limit for driving. The case examiners are of the view that, in the circumstances of this case, a member of the public may be concerned to learn that a social worker had been allowed to practise without any sanction from their regulator.

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

Taking account of all of the above, the case examiners are satisfied that there is a realistic prospect of the adjudicators making a finding of current impairment.

The public interest

Decision summary

Is there a public interest in referring the case to a hearing?	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>

Referral criteria

Is there a conflict in the evidence that must be resolved at a hearing?	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>
Does the social worker dispute any or all of the key facts of the case?	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>
Is a hearing necessary to maintain public confidence in the profession, and/or to uphold the professional standards of social workers?	Yes	<input type="checkbox"/>
	No	<input checked="" type="checkbox"/>

Additional reasoning

The case examiners have considered whether a referral to a hearing may be necessary in the public interest. The case examiners have noted that whilst the social worker accepts the key facts, they do not accept that they are currently impaired.

Where a social worker does not accept that their practice is impaired, the case examiner guidance suggests that a referral to a hearing may be necessary in the public interest. However, the case examiners have noted the following:

- The case examiners guidance reminds them that ‘wherever possible and appropriate, case examiners will seek to resolve cases through accepted disposal. This is quicker and more efficient than preparing and presenting a case to a fitness to practise panel’.
- The social worker accepts the concern and whilst they have not accepted current impairment, the case examiners are aware that not all professionals have a comprehensive understanding of impairment. The accepted disposal process will provide the social worker with the opportunity to review the case examiners’ reasoning

on impairment and reflect on whether they do 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.

The case examiners are aware that a case cannot be concluded through an accepted disposal process where a social worker does not agree that they are currently impaired. At this stage, the case examiners' proposal for an accepted disposal process does not mark the conclusion of the case, as that would require a response from the social worker to the proposal. The case examiners will then conduct a final review of the case and may determine to send the matter to a hearing following any response received.

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	1 year	

Reasoning

In considering the appropriate outcome in this case, the case examiners had regard to Social Work England's sanctions guidance (December 2022) and reminded themselves that the purpose of sanction is not to punish the social worker but to protect the public and the wider public interest.

In determining the most appropriate and proportionate outcome in this case, the case examiners considered the available options in ascending order of seriousness.

The case examiners considered taking no further action. They note paragraph 95 of the sanction's guidance which states, when decision makers find impairment, an outcome of 'no further action' is rare. Further, the case examiners are of the view that a conviction for drink driving is serious, and that taking no further action does not reflect their consideration of the public interest in this case.

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. However, the case examiners consider that advice would not be sufficient to mark the seriousness with which they view the social worker's alleged conduct.

The case examiners next considered whether a warning order might be suitable, given that it would show clear disapproval of the social worker's conduct. The case examiners have concluded that there is no risk of repetition in this case, therefore any sanction would be to mark the public interest in this matter and send a message to the

profession about the professional standards expected of social workers, whether inside work or in their personal lives. The sanctions guidance suggests that a warning may be appropriate where the fitness to practise issues are isolated, there is a low risk of repetition, and the social worker has demonstrated insight. Furthermore, the guidance states that decision makers should consider issuing a warning order where they cannot formulate any appropriate or proportionate conditions of practice, and a suspension order would be disproportionate.

In this instance, the case examiners consider that the alleged conduct appears isolated in nature, and they concluded that there is a low risk of repetition, and the social worker has demonstrated insight. Therefore, the case examiners determined that a warning was the most appropriate and proportionate response in this case and was the minimum necessary to protect the public and the wider public interest. A warning will serve as a signal that any repetition of the behaviour that led to the concerns is highly likely to result in a more severe sanction.

In considering the duration of the warning, the case examiners have had regard to the sanctions' guidance which states, '1 year may be appropriate for an isolated incident of relatively low seriousness. In these cases, the primary objective of the warning is to highlight the professional standards expected of social workers. 3 years may be appropriate for more serious concerns. This helps to maintain public confidence and highlight the professional standards. The period also allows more time for the social worker to show that they have addressed any risk of repetition. 5 years may be appropriate for serious cases that have fallen only marginally short of requiring restriction of practice'.

The case examiners consider one year to be proportionate in this case to maintain public confidence and to send a message to the public, the profession and the social worker about the professional standards expected. The case examiners recognise that the matter is reported to be isolated, and whilst they do not consider that the matter to be one of 'relatively low seriousness', they consider that the social worker acted immediately to inform the regulator and their employer, they have reflected and undertaken remediation in a short space of time. One year will therefore mark the public interest in the matter and help to maintain public confidence in the profession and highlight the professional standards expected of social workers at all times. The case examiners do not consider that the social worker needs additional time to address their conduct, therefore they consider that three years is not necessary. Furthermore, the case examiners do not consider that the matter fell marginally short of the need to restrict practice, and therefore five years would be disproportionate and punitive. To confirm, the case examiners are satisfied that a warning of one year duration is the proportionate sanction.

The case examiners did go on to consider whether the next sanctions, conditions of practice and suspension, were more appropriate in this case. The case examiners concluded there is a low risk of repetition, also they note that the alleged conduct took place outside of the workplace and in the social worker's personal life, therefore conditions would not be appropriate. Furthermore, they consider that suspension would be a disproportionate sanction, given that the social worker has undertaken remediation and engaged with the regulator. Taking all of this into consideration and given the conduct occurred outside of the workplace, a conditions of practice order would not be necessary or appropriate in this case and is more commonly suited to cases relating to health, competence or capability. The case examiners considered that suspension from the register would also be a disproportionate and punitive outcome, where the social worker has demonstrated insight and undertaken remediation.

To conclude, the case examiners have decided to propose to the social worker a warning order of one year 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: Driving whilst under the influence of alcohol is a serious matter. Your decision to drive on the occasion that led to your conviction demonstrated a serious lack of judgement. You put yourself and members of the public at risk of harm.

Your conviction could have an adverse effect on the public's confidence in you as a social worker. It may also damage the reputation of the social work profession.

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

As a social worker, I will not:

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.

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

Response from the social worker

The social worker responded on 16 December 2025. They provided further insight and expressed remorse, and requested that the case examiners revise their decision and offer an accepted disposal outcome of advice.

Case examiners' response and preliminary decision

The case examiners have reviewed the social worker's request, and they draw their attention to 'The Social Workers Regulations 2018' which do not permit the case examiners to change the sanction.

To confirm, the case examiners are not in a position to amend the sanction as proposed which is a warning order of one year duration.

The case examiners notify the social worker of their intention for a second and final time and seek the social worker's agreement to dispose of the matter accordingly. The social worker will be offered 14 days to respond. If the social worker does not agree, or if the case examiners revise their decision regarding the public interest in this case, the matter will proceed to a final hearing.

Response from the social worker

The social worker responded on 8 January 2026 and confirmed stating: *"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 impose a warning order of 1 year duration.