



Case Examiner Decision  
Jo Nickola Campbell –  
SW131377  
FTPS-22194

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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	17 November 2025
	Accepted disposal proposed - removal order
Final outcome	18 December 2025
	Accepted disposal - removal order

## Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concerns 1b, 1c and 2 being found proven by the adjudicators. [REDACTED]
2. There is a realistic prospect of regulatory concerns 1b and 1c being found to amount to the statutory ground of misconduct and of regulatory concern 2 being found to amount to the statutory ground of being included by the Disclosure and Barring Service in a barred list. [REDACTED]
3. For regulatory concerns 1b, 1c and 2, there is a realistic prospect of adjudicators determining that the social worker's fitness to practise is currently impaired.

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

As such, the case examiners requested that the social worker be notified of their intention to resolve the case with a removal order. The social worker subsequently accepted the proposed disposal. Having revisited the public interest in the case, the case examiners determined that a removal order remained the most appropriate outcome in this case.

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.

Child A	[REDACTED]
Child B	[REDACTED]
Child C	[REDACTED]
Child Z	[REDACTED]

## The complaint and our regulatory concerns

### The initial complaint

The complainant	The complaint was raised by the social worker's former employer, Warwickshire County Council
Date the complaint was received	26 April 2023
Complaint summary	The Council referred concerns about the social worker's response to allegations of abuse by various children on their caseload. The regulatory concerns below adequately capture the allegations.

### Regulatory concerns and concerns recommended for closure

Whilst registered as a social worker:

RC1. You failed to respond appropriately to safeguarding concerns in respect of:

b. Child A on or around 18th December 2023

c. Child C on or around 30th March 2023

RC2. You were barred by the Disclosure and Barring Service from working with adults and children on or around 9 September 2024.

The matters outlined in regulatory concern 1b and 1c amount to the statutory ground of misconduct.

The matters outlined in regulatory concern 2 amount to the statutory ground of being included by the Disclosure and Barring Service in a barred list (within the meaning given in section 60(1) of the Safeguarding Vulnerable Groups Act 2006 M1 or article 2(2A) of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 M2).

Your fitness to practise is impaired by reason of your misconduct and/or being included by the Disclosure and Barring Service in a barred list (within the meaning given in section 60(1) of the Safeguarding Vulnerable Groups Act 2006 M1 or article 2(2A) of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 M2).



## 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"/>

## 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	<input checked="" type="checkbox"/>
	No	<input type="checkbox"/>

The case examiners have determined that there is a realistic prospect of regulatory concerns 1b, 1c and 2 being found proven, that regulatory concerns 1b and 1c could amount to the statutory ground of misconduct, and that regulatory concern 2 could amount to the statutory ground of being included by the Disclosure and Barring Service in a barred list. The case examiners have also determined that the social worker's fitness to practise could be found impaired.

### Reasoning

#### Facts

*RC1. You failed to respond appropriately to safeguarding concerns in respect of:*

*b. Child A on or around 18th December 2023*

The case examiners have been provided with the case note of a visit from the social worker to Child A which clearly records a bruise seen on the child's leg and allegations of physical abuse by their father. Child A is reported to have provided inconsistent accounts of how they obtained the bruise. Within the case note of the visit, the social worker has recorded that they needed to discuss the bruise and allegations with their line manager.

The case examiners have been provided with a screenshot of Microsoft Teams messages sent by the social worker to their line manager in the early hours of 20 December 2023, acknowledging that they should have organised a case discussion earlier, to discuss the bruise and allegations.

The evidence suggests that the appropriate response to this safeguarding concern would have been to discuss with their manager after their visit on 18 December or 19

December if it was not possible to escalate on the same day. It appears this did not happen.

The case examiners are satisfied there is a realistic prospect of this regulatory concern being found proven by adjudicators, should the matter go forward to a hearing.

*c. Child C on or around 30th March 2023*

The case examiners have been provided with evidence of an email sent from the school of Child C to the social worker, reporting further allegations of sexual abuse against a relative. There is no record of this information being shared with the police, who were investigating earlier allegations and there is evidence in the case notes which suggest that the police only learnt of these later allegations by reading school records around 18 January 2024, almost 9 months after the social worker appears to have been made aware.

The case examiners acknowledge that Child C appears to have been safeguarded as they were no longer having contact with their alleged abuser, however the evidence is clear that the new allegations should have been shared with the police in a timely manner. This may have provided further evidence to support a conviction and ensured that Child C was reassured they were being listened to.

The case examiners are satisfied there is a realistic prospect of this regulatory concern being found proven by adjudicators, should the matter go forward to a hearing.

*RC2. You were barred by the Disclosure and Barring Service from working with adults and children on or around 9 September 2024.*

The case examiners have been provided with a copy of the letter from the Disclosure and Barring Service, dated 9 September 2024 which confirms their decision to include the social worker on the barred lists for both adults and children due to the concerns raised by their former employer.

The case examiners are satisfied there is a realistic prospect of this regulatory concern being found proven by adjudicators, should the matter go forward to a hearing.

### **Grounds**

#### **Misconduct**

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.

To help them decide if the evidence suggests a significant departure, the case examiners have considered the following standards, which were applicable at the time of the concerns.

*As a social worker, I will:*

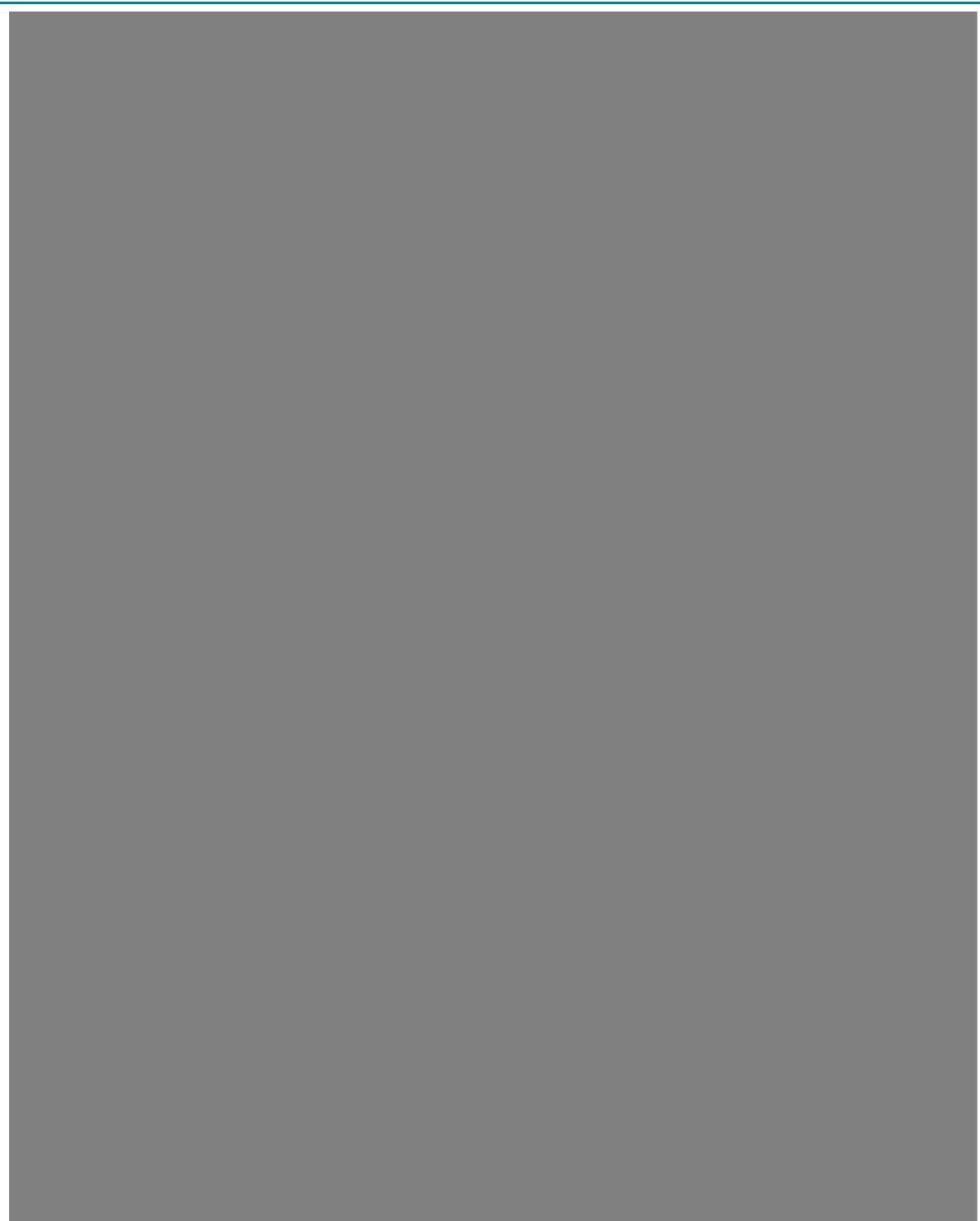
*3.1 Work within legal and ethical frameworks, using my professional authority and judgement appropriately.*

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

*3.9 Make sure that relevant colleagues and agencies are informed about identified risks and the outcomes and implications of assessments and decisions I make.*

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

The case examiners have considered each of the regulatory concerns separately to establish whether each concern could amount to misconduct.



### Regulatory concern 1b

The case examiners acknowledge that the delay in the social worker reporting this to their manager appears to have been one working day, as the visit occurred at the end of the working day on 18 December 2023 and their manager was made aware first thing on 20 December 2023.

However, the case examiners also recognise that this allegation was accompanied by a bruise which may have required a child protection medical, a process which is time sensitive, and which needs to happen as soon as possible. Additionally, unlike the other children considered in this decision, Child A remained in the care of their father, who was the alleged perpetrator of physical abuse. This suggests that Child A may have been left at risk of further physical harm by not responding immediately. If proven, this would amount to a significant departure from what was expected.

The case examiners are satisfied there is a realistic prospect of regulatory concern 1b being found to amount to misconduct, should the matter go forward to a hearing.

#### Regulatory concern 1c

The case examiners note that the social worker appears to have been qualified for over two and a half years at the time of this concern. They are of the view that the required action by the social worker was straightforward, they were required to share the further allegations with the police to inform their investigation. It appears from the evidence that the social worker was having regular supervisions at this time and so had the opportunity to discuss with their line manager if unsure. The social worker's alleged omission may have negatively impacted upon the police investigation and is a significant departure from the partnership working, required when safeguarding.

The case examiners are satisfied there is a realistic prospect of regulatory concern 1b being found to amount to misconduct, should the matter go forward to a hearing.

#### Being included in a barred list

The case examiners have identified the relevant evidence to suggest the social worker has been included on the DBS barred lists for both adults and children.

The case examiners are satisfied that there is a realistic prospect of adjudicators establishing the statutory ground of being included by the Disclosure and Barring Service in a barred list, as provided by The Social Workers Regulations 2018.

#### 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

The case examiners are of the view that the misconduct could be easily remedied by the social worker demonstrating insight into what went wrong and evidencing they had completed learning and development tasks to prevent a recurrence of these concerns. The case examiners recognise that the social worker was practising in a busy assessment team, where they are likely to have dealt with a large number of safeguarding concerns over the 3 years they were employed. Given the concerns are significant but only 2 alleged omissions are found to amount to misconduct, the case examiners consider they have not been provided with evidence of a practitioner who will never be safe to practise again.

The social worker being included on the DBS barred list is more difficult to remediate, it appears the social worker appealed the decision but was unsuccessful and the evidence suggests they cannot ordinarily apply for a review of the decision until 2034.

### Insight and remediation

The case examiners acknowledge that the social worker has submitted they feel providing reflection is unnecessary, given the decision of the DBS. Additionally, because the social worker has been barred from working in social care as well as the social work profession, they cannot provide recent testimonials or evidence of current practice.

However, the case examiners recognise that the evidence suggests the social worker demonstrated insight into the alleged concerns at a very early stage, it was the social worker who raised the concern about the delay for Child A. The social worker denies the regulatory concerns but submits *“I accept that I made a mistake and my conduct fell below the standard that is normal”*.

The case examiners have previously identified mitigation in this case, in terms of the social worker’s difficult start to their career, the lack of support and caseload protection at a crucial stage. 





### Risk of repetition

The case examiners have noted that the DBS decision is ongoing, until at least 2034.

In relation to the misconduct, although the case examiners note the evidence of good practice from the social worker in their general practice, in the absence of sufficient insight and remediation, the case examiners cannot be confident that there is a low risk of repetition.

### **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.

Regarding the misconduct, the case examiners consider that the alleged conduct relates to a central tenet of social work practice, safeguarding. Whilst acknowledging the mitigating circumstances, the case examiners consider that the public would expect a finding of impairment for a social worker who failed to respond appropriately to two children at risk of harm.

The case examiners are also of the view that the public would expect the regulator to take action when a social worker has been included on the DBS barred list.

In conclusion, the case examiners are satisfied that there is a realistic prospect of adjudicators finding the social worker 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 concluded that the public interest in this case is engaged. However, they are satisfied that this interest may be appropriately fulfilled by virtue of the accepted disposal process.

Whilst the matter is serious, the case examiners are not of the view that it is so serious that a hearing might be necessary to maintain public confidence in the social work profession, or in Social Work England's maintenance of the standards expected of social workers.

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 whilst the social worker denies the regulatory concerns, they appear to accept the key facts.
- 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 to 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 type="checkbox"/>
	Conditions of practice order <input type="checkbox"/>
	Suspension order <input type="checkbox"/>
	Removal order <input checked="" type="checkbox"/>
Proposed duration	Where a social worker is removed from the register, there is no defined end to the finding of impairment. A social worker that has been removed from the register may only apply to be restored to the register 5 years after the date the removal order took effect. The adjudicators will decide whether to restore a person to the register.

Reasoning
When considering the appropriate sanction, the case examiners have identified the mitigating and aggravating factors.
<p><u>Mitigating</u></p> <ul style="list-style-type: none"> <li>- No previous history of Fitness to Practice concerns.</li> </ul> <div style="background-color: #cccccc; height: 20px; margin-top: 10px;"></div> <ul style="list-style-type: none"> <li>- Whilst the alleged misconduct was a significant breach of professional standards, there is no evidence to suggest this was intentional or malicious.</li> <li>- The social worker appeared to have been a capable practitioner in general, despite significant challenges during their ASYE programme and not receiving sufficient support.</li> </ul> <p><u>Aggravating</u></p>

- Child A was left in a potentially abusive environment.
- The police investigation into sexual abuse of Child C may have been marred or negatively impacted.
- Two of the concerns were felt to amount to misconduct which may suggest repetition.

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 a sanction is not to punish the social worker, but to protect the public.

The case examiners have decided that it is not in the public interest to refer this matter to a final hearing and have chosen the least restrictive sanction necessary to protect the public and the wider public interest. They have started at the lowest possible sanction and worked up, testing the appropriateness of each sanction to confirm their decision is proportionate.

The case examiners have already determined there is a realistic prospect that the social worker's fitness to practise would be found impaired. The sanctions guidance advises that if the personal element of impairment is found, "*a sanction restricting or removing a social worker's registration will normally be necessary to protect the public*". The case examiners are therefore led to consider sanctions which restrict the social worker's practice. They note that the guidance suggests it may therefore "*be reasonable to move beyond the lower sanctions (no action, advice or a warning) on this basis alone*". The case examiners have already determined that they do not consider that the social worker has demonstrated sufficient insight nor remediation. Therefore, the sanctions of no further action, advice or a warning are considered inappropriate on the basis that these outcomes will not restrict practice and therefore not sufficiently protect the public.

The case examiners have then considered a conditions of practice order, which are often appropriate in cases relating to professional practice. The case examiners note that the social worker is not able to practise due to their inclusion on the DBS barred list, therefore conditions would be unworkable.

The case examiners further note that they are only able to propose a suspension of up to 3 years, given that it appears the social worker cannot apply for a review of the DBS decision until 2034, a suspension order is neither practical nor appropriate.

The case examiners acknowledge that the conduct described in these regulatory concerns (not including the DBS decision) would not generally result in a proposal of

removal, particularly given the mitigation and the relatively isolated nature of the concerns.

The case examiners have paid particular attention to the sanctions guidance where describes factors which may lead to a proposed removal. It says this may be appropriate for '*social workers who are unwilling and/or unable to remediate.*'

Given that the social worker is unable to remediate in light of the decision made by the DBS, the case examiners conclude that they cannot propose a lesser sanction than removal.

Therefore, they propose that the social worker is removed from the register.

The case examiners will now notify the social worker of their intention and seek the social worker's agreement to dispose of the matter accordingly. The social worker will be offered 28 days to respond.

If the social worker does not agree, 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

On 16 December 2025 the social worker returned their completed accepted disposal response form, confirming the following:

*"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 reviewed their decision, paying particular regard to the overarching objectives of Social Work England:

- The protection of the public
- Maintaining confidence in the social work profession

- The maintenance of professional standards.

The case examiners remain satisfied that an accepted disposal removal order is a fair and proportionate way to conclude this matter, and is the minimum sanction required to protect the public and the wider public interest.