

Case Examiner Decision
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FTPS-20100

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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	19 December 2023
	Accepted disposal proposed - warning order (3 years)
Final outcome	23 January 2024
	Accepted disposal - warning order (3 years)

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concern 1 (all parts) being found proven by the adjudicators.
2. There is a realistic prospect of regulatory concern1 (all parts) being found to amount to the statutory grounds of misconduct.
3. For regulatory concern 1 (all parts) there is a realistic prospect of adjudicators determining that the social worker's fitness to practise is currently impaired.

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

As such, the case examiners requested that the social worker be notified of their intention to resolve the case with a warning order of 3 years. This was accepted by the social worker on 21 January 2024.

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 **red** will be redacted from 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 way of a self-referral by the social worker
Date the complaint was received	22 November 2021
Complaint summary	The social worker notified the regulator of an [REDACTED] incident which took place on 12 November 2021, during which they state they hit person A. As a result child A, who was noted to be present during the incident, was subject to section 47 enquiries. The social worker further states that during their initial discussion with the police following the incident, they gave incorrect information.

Regulatory concerns

As amended by the case examiners

1. Whilst registered as a social worker, on or around the 12 November 2021;
 - a. You were involved in an altercation, which included you hitting person A.
 - b. Your above behaviour was in the presence of and witnessed by child A.
 - c. You provided inconsistent and varying accounts of this incident to the police.
 - d. Your actions at regulatory concern 1c were dishonest.

The matters outlined in regulatory concerns (1a), (1b), (1c) & (1d) amount to the statutory ground of misconduct.

Your fitness to practise is impaired by reason of misconduct.

Preliminary issues

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

Requests for further information or submissions, or any other preliminary issues that have arisen
The case examiners note that the regulatory concerns have been presented to them as follows: 1. Whilst registered as a social worker, on the 12 November 2021, you have behaved in a manner may bring into question your suitability to work as a social worker in that; a. You were involved in an altercation, whereby you assaulted person A. b. Your above behaviour was in the presence and witnessed by child A and potentially caused them distress or harm. c. You provided inconsistent and varying accounts of this incident to the police. d. Your actions at regulatory concern 1c were dishonest.

The matters outlined in regulatory concerns (1a), (1b) (1c) & (1d) amount to the statutory ground of misconduct.

Your fitness to practise is impaired by reason of misconduct.

Having reviewed the evidence, the case examiners have made the following amendments to the regulatory concerns (where indicated):

1. Whilst registered as a social worker, on **or around** the 12 November 2021, ~~you have behaved in a manner may bring into question your suitability to work as a social worker in that;~~
 - a. You were involved in an altercation, ~~whereby~~ **which included** you ~~assaulted~~ **hitting** person A.
 - b. Your above behaviour was in the presence **of** and witnessed by child A ~~and potentially caused them distress or harm.~~
 - c. You provided inconsistent and varying accounts of this incident to the police.
 - d. Your actions at regulatory concern 1c were dishonest.

The matters outlined in regulatory concerns (1a), (1b), (1c) & (1d) amount to the statutory ground of misconduct.

Your fitness to practise is impaired by reason of misconduct.

The case examiners are of the view that the regulatory concerns as presented contain elements that would reasonably be expected to be covered at the grounds stage. The case examiners have determined to remove such wording from the regulatory concerns so that they solely capture the key facts of the social worker's alleged actions.

When considering part (1a) of the concerns, the case examiners are of the view that the use of the word assaulted could be considered to be a legal term. The evidence does not indicate the social worker was subject to criminal proceedings. Further, by using the word 'hitting' this is in keeping with the language used within the evidence, for example, the social worker's self-referral to the regulator.

The case examiners have also made what they consider to be a clerical amendment, adding 'of' to part (1b) of the concerns.

Regarding part (1c) of the concerns, the case examiners note the evidence indicates the incident is noted to have taken place on 12 November 2021 at 11.30pm. It is after this

however, that the police attended. A police [REDACTED] risk assessment [REDACTED]
[REDACTED]

appears to have been completed on 13 November 2021 at 2.50am. Further evidence indicates it was on the 14 November 2021 that the social worker gave a different account of the incident during a telephone call with a police officer. The case examiners have therefore amended the concern by adding 'or around'. They are of the view that this could be considered to be a material amendment, in that it could change the date on which the alleged behaviour occurred. However, the case examiners are satisfied, having read the social worker's submissions, that the social worker has been able to understand the scope of the alleged conduct and further submissions are not required.

The case examiners therefore considered it to be unnecessary and disproportionate to delay consideration of the case further by seeking additional submissions from the social worker and have continued with their determination of the 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 (all parts) being found proven, that those concerns could amount to the statutory grounds of misconduct, and that the social worker's fitness to practise could be found impaired.

Reasoning

Facts

- 1. Whilst registered as a social worker, on or around the 12 November 2021;**
 - a. You were involved in an altercation, which included you hitting person A.**

Having reviewed the evidence, the case examiners note a [REDACTED] risk assessment completed by the police on 13 November 2021 at 2.50am regarding an incident that is documented as having taken place on 12 November 2021 at 11.30pm. The assessment documents the social worker was subject to violence from person A and states; *'She also thinks [person A] tried to strangle her. This was in the presence of [child A] who was stood on the stairs and witnessed the whole incident.'*

The evidence indicates the social worker notified their employer the following morning, and was subsequently subject to investigation. The case examiners note that as part of their employer's investigation, the social worker, and their line manager, were

interviewed. In interview with the social worker it is documented that following a comment made by person A to the social worker, the social worker responded by hitting them. Person A is then reported to have retaliated. The case examiners note this is consistent with the evidence provided by the social worker's managers, by way of their statements.

The social worker in their submissions accepts this concern.

The case examiners are satisfied there is evidence to suggest that on or around the 12 November 2021 the social worker was involved in an altercation, whereby they hit person A.

b. Your above behaviour was in the presence of and witnessed by child A.

The case examiners also note the evidence indicates that child A, although not physically present when the social worker hit person A, was upstairs in the property at the time and heard the altercation. The evidence suggests child A observed the social worker and person A pushing each other on the stairs, and when person A pushed the social worker over. Interview records and statements are consistent with this.

The social worker in their submissions accepts this concern.

The case examiners are satisfied there is evidence to suggest that the social worker was involved in an altercation, that was in the presence of and witnessed by child A.

c. You provided inconsistent and varying accounts of this incident to the police.

Further to the evidence already considered above, the social worker is initially recorded by the police as having alleged person A tried to strangle them. The employer's interview record indicates that, having attempted to make contact with the investigating officer later that morning (13 November 2021), the social worker spoke with a police officer on 14 November 2021. The social worker states; *"Because [person A] hadn't strangled me...she spoke about this strangling (...) in the risk assessment and I just said I don't know why – why I said that I don't"*.

Strategy discussion minutes on 16 November 2021 also documents that *'there are discrepancies in [the social worker's] account of events...[The social worker] states that she punched [person A] first and then [person A] punched her back...In contradiction to the account that [the social worker] gave to the police, she says that [person A] did not try to*

strangle her and she said this to hurt him.' The case examiners note that the social worker hitting person A first is not recorded in the police record.

The social worker in their submissions accepts this concern.

The case examiners are satisfied there is evidence to suggest the social worker provided inconsistent and varying accounts of the incident to the police.

d. Your actions at regulatory concern 1c were dishonest.

The case examiners are aware the current test for dishonesty is provided by the case of *Ivey*. The case examiners have considered the social worker's state of knowledge / belief at the time of the alleged incident. The case examiners note that in their initial version of events it appears the social worker did not advise police they had hit person A first, and stated they believed person A had tried to strangle them. The case examiners note that the social worker, and person A, had consumed alcohol on what appears to have been a difficult day for both of them [REDACTED]

The evidence suggests the following morning the social worker contacted the investigating officer soon after waking; *"...I just kind of had that horrible feeling in your belly like what have you done kind of um feeling, because he hadn't strangled me..."* The evidence suggests in discussion with a police officer, and subsequently their line manager, the social worker was unable to explain why they had said this; *"And my response to her was exactly kind of I think was the same as to the Police is that I – I don't know did I want to hurt him, did I want him to be punished, did I think it happened, I don't know"*.

The case examiners are mindful of the complexity of the circumstances, in that alcohol was a factor, [REDACTED]

[REDACTED] However, the case examiners consider it reasonable to conclude that the social worker was likely to gain something from being dishonest, in that person A would likely receive a negative consequence as a result of the alleged behaviour. [REDACTED]

[REDACTED] The case examiners consider, upon one construction of the evidence, that the social worker knowingly gave an inaccurate and inconsistent account of the incident to the police.

The case examiners have then considered whether the social worker's conduct was potentially dishonest by applying the objective standards of ordinary decent people. The case examiners consider that ordinary decent members of the public would consider a social worker knowingly providing false information to the police would amount to dishonesty.

The social worker in their submissions accepts this concern.

The case examiners are satisfied there is evidence to suggest the social worker's actions at regulatory concern 1c were dishonest.

To conclude, the case examiners are satisfied there is a realistic prospect of adjudicators finding parts (1a), (1b), (1c) and (1d) of this concern proven.

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.

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 following Social Work England professional standards, which were applicable at the time of the concerns:

As a social worker, I will:

2.1 Be open honest, reliable and fair.

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.

Professional integrity in social work means always upholding the values and reputation of the profession. Allegations of inappropriate conduct outside of work can damage the confidence in the profession and the ability of social workers to support people. Acting in accordance with the values and principles of the profession at all times is also outlined in social work codes of ethics.

The case examiners consider that honesty is key to good social work practice. As highlighted within the regulator's guidance, social workers are routinely trusted with access to private spaces (such as people's homes), and highly sensitive and confidential information (such as case notes). Further, such as in this case, other organisations rely on

the honesty and integrity of social workers when making important decisions. It is because of this that allegations of dishonesty are likely to threaten public confidence in the social work profession. This is the case both in professional practice and in the social worker's private life.

In this case the social worker is alleged to have hit and pushed person A, with some of the altercation witnessed by child A, and then provided an inconsistent account of this to the police, thereby acting dishonestly. The case examiners have considered the additional context surrounding the circumstances. 



While the case examiners have not had sight of any evidence of harm having come to person A, they note risk of harm and the impact of the social worker's alleged actions can be as important as actual harm caused. The evidence suggests child A was distressed by witnessing the incident which had the potential to cause emotional harm.

Notwithstanding the circumstances of the event, the case examiners are of the view that the social worker could have reasonably anticipated the emotions of the day and managed it in advance, as they have indicated, for example, by not consuming alcohol as had been their original intention.

To conclude, considering Social Work England's professional standards, and the applicable guidance, the case examiners consider these matters viewed together are serious and would represent a significant departure from the standards.

The case examiners there is a realistic prospect of adjudicators establishing the statutory ground of misconduct.

Impairment

Having concluded there is a realistic prospect of adjudicators establishing the statutory ground of misconduct for regulatory concern 1, the case examiners must consider whether there is a realistic prospect of adjudicators finding current 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 note that the concerns include dishonesty, and could therefore call into question the social worker's character. The case examiners' guidance explains that such conduct may be harder to remediate. This is because it is more difficult to produce objective evidence of reformed character. The case examiners consider however, that in this case, which relates to an isolated instance of dishonesty, the social worker could demonstrate their understanding of what went wrong and what steps they can take to avoid further incidents.

Insight and remediation

The case examiners note that the evidence indicates the social worker took immediate steps to remedy their alleged actions, they contacted both the investigating police officer and their line manager first thing the following (Saturday) morning. The social worker self-referred to the regulator and is documented to have demonstrated remorse throughout their employer's investigation.

In their submissions the social worker reflects on the actions they could have taken, and provides information on strategies they have put in place personally. Further, they have reflected on how this has impacted on them professionally. They state;

"[REDACTED] I share a positive relationship with my manager and service manager who will always make themselves available should I need to reflect or raise any issues that would affect my practice in such cases...I use my experiences to better understand the thoughts, feelings and experiences of others...I have used my experiences to support my colleagues and

newly qualified social workers to reflect on their perception and judgement, engage in professional curiosity, record accurately and to be acutely aware of the power imbalance between professionals and children and their families. My practice has developed a great deal as a result of my experiences, whilst I regret my actions and behaviours beyond comprehension, positives have come from this situation both personally and professionally and for that part I am grateful. I have never dismissed accountability for my actions and behaviours as a result of 12th November 2021 and I never will. I truly believe in the social work code of conduct and the standards we practice by. I acknowledge and regret that I have brought my integrity as a person and my professionalism into disrepute. I have strived at every opportunity since to prove myself to have learnt from my mistakes."

The case examiners have also had sight of positive testimony from the social worker's line management, who appear to have managed the social worker throughout. In this the social worker is described as being an asset; *'She has demonstrated insight and has been honest and transparent throughout. [The social worker] wants to learn from what has happened and let it be something she can consider when working with children and understanding their experiences better.'*

The evidence suggests the social worker actively engaged with a number of support services, [REDACTED]

The case examiners have had sight of confirmation of completion of relevant training.

Risk of repetition

Having taken the above into account, the case examiners consider the risk of repetition to be low.

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 are aware that, notwithstanding the insight and remorse shown by the social worker, there are matters where the public's confidence in the profession would be undermined if a finding of impairment was not made.

The case examiners are of the view that adjudicators may determine that a member of the public would be concerned to learn that a social worker had been allowed to practise without sanction from their regulator, given the concerns regarding the social worker's alleged behaviour in this case. Concerns which include use of physical violence, some of which was witnessed by a child, and dishonesty are serious. Adjudicators may consider there is potential risk of harm to the wider public in terms of their ability to trust and

have confidence in a social worker who is alleged to have acted in this manner. Furthermore, the social worker's actions may undermine public confidence in the social work profession. The case examiners also consider that such conduct, if proven, is a significant departure from the professional standards.

As such, given the element of public interest, 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

☐

No

☒

Referral criteria

Is there a conflict in the evidence that must be resolved at a hearing?

Yes

☐

No

☒

Does the social worker dispute any or all of the key facts of the case?

Yes

☐

No

☒

Is a hearing necessary to maintain public confidence in the profession, and/or to uphold the professional standards of social workers?

Yes

☐

No

☒

Additional reasoning

With reference to their case examiner guidance (2022) the case examiners have given careful consideration to whether there is a public interest in these matters proceeding to a hearing.

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 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 case examiners note however, that the social worker does not accept their fitness to practise is currently impaired. The social worker does however, indicate that their fitness to practise was impaired at the time of the alleged incident. Where a social worker does not accept impairment, case examiner guidance (2022) suggests that a referral to hearing may be necessary in the public interest. The case examiners consider it is appropriate to depart from that guidance in this instance.

The case examiners note there is no conflict in the evidence in this case and the social worker does not dispute any of the key facts, indicating they accept the concerns in full. Further, 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 with 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.

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.

Accepted disposal

Case outcome

Proposed outcome	No further action	☐
	Advice	☐
	Warning order	☒
	Conditions of practice order	☐
	Suspension order	☐
	Removal order	☐
Proposed duration	3 years	

Reasoning

The case examiners are satisfied there is a realistic prospect of regulatory concern 1 (all parts) being found proven by adjudicators. Furthermore, they have found a realistic prospect that the concerns, if proven, would amount to the statutory ground of misconduct. The case examiners have also found a realistic prospect that adjudicators would find the social worker's fitness to practise is currently impaired. The case examiners have decided however, that it is not in the public interest to refer this matter to a final hearing.

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

Firstly, the case examiners considered taking no further action but concluded this would not be appropriate in this instance as it would be insufficient to address the seriousness of the social worker's alleged actions in this case.

Next, the case examiners 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 are of the view that

issuing advice is not sufficient to mark the seriousness with which they view the social worker's alleged conduct.

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. The case examiners are of the view a warning order is appropriate in that they consider the fitness to practise issue to be an isolated matter, have determined there is a low risk of repetition and consider the social worker to have demonstrated insight and remediation.

As a further consideration, the case examiners turned their minds to the next two sanctions, conditions of practice and suspension. They note that conditions of practice orders are commonly applied in cases of lack of competence or ill health and therefore, the case examiners have concluded conditions were not suitable for this case. The circumstance of the alleged concerns are specific to matters in the social worker's personal life and there is positive testimony regarding the social worker's current employment.

Finally, the case examiners considered suspension. While they are of the view the concern represents a serious breach of the professional standards, they are of the view the social worker has demonstrated sufficient insight and remediation and therefore, suspension from the register would be a disproportionate and punitive outcome in this case. In reaching this conclusion the case examiners were mindful that although an allegation of the social worker being involved in an altercation, which is witnessed by a child, and compounded by dishonesty is inherently serious, it is acknowledged that in this case there are mitigating circumstances and the social worker has demonstrated considerable insight and remorse. Further, the case examiners are aware that dishonest behaviour is nuanced and can take different forms. The alleged dishonesty took place in the social worker's private life. The evidence indicates this was short lived, an isolated incident and that the social worker admitted the dishonest behaviour at their earliest opportunity. The case examiners therefore considered it to be at the lower scale of seriousness.

The case examiners have considered the length of time for the published warning and consider 3 years to be proportionate in this case. In coming to this determination, they have taken into account the 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. While an isolated incident, in that the alleged concerns occurred following one incident, the case examiners do not consider them to be of relatively low seriousness.

- 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. This helps to maintain public confidence and highlight the professional standards. While the case examiners are mindful that dishonesty is generally recognised as one of the most serious forms of misconduct, they have illustrated why they consider the concerns in this case to be at the lower scale of seriousness. The case examiners are mindful of the circumstances that precipitated the concerns, of the social worker's steps in remediating, and of their insight and remorse. In light of this, the case examiners did not consider this to be a case which has fallen only marginally short of requiring restriction of practice.

The case examiners have therefore, decided to propose to the social worker a warning order of 3 years 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 21 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

Professional integrity in social work means upholding the values and reputation of the profession at all times. Conduct outside of work can damage confidence in the profession and the ability of social workers to support people. Acting in accordance with the values and principles of the profession at all times is also outlined in the social work code of ethics.

Additionally, honesty is key to good social work practice. Social workers are routinely trusted with access to private spaces (such as people's homes), and highly sensitive and confidential information (such as case notes). Other organisations also rely on the honesty and integrity of social workers when making important decisions about service users, their relatives and carers.

Finally, social workers have a responsibility to stay alert to and investigate suspected harm, neglect or abuse and, where risk has been identified, agree plans to address it urgently. Social workers will need to cooperate closely with relevant colleagues and agencies to consider options for action. They will maintain a focus on the person at risk, whatever other demands or issues come to light.

The social worker must therefore ensure they comply with the following Social Work England Professional Standards:

As a social worker, I will:

2.1 Be open honest, reliable and fair.

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.

The case examiners warn the social worker that the conduct alleged in this case should not be repeated. Any further matters of similar conduct brought to the attention of the case examiners will be viewed dimly and will likely result in a more serious outcome.

Response from the social worker

The case was returned to the case examiners on 22 January 2024.

The case examiners have had sight of the social worker's email dated 21 January 2023, which includes a completed response form to confirm they have read the case examiners' decision and the accepted disposal guide, and that they understand the terms of the proposed disposal and accept them in full.

Case examiners' response and final decision

The case examiners note that the social worker has accepted the proposed disposal as outlined by them. The case examiners then proceeded to further consider whether

accepted disposal (a three year warning order) remains the most appropriate means of disposal for these matters.

The case examiners 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. The case examiners are of the view they have not been presented with any new evidence that might change their previous assessment. The case examiners remain satisfied that an accepted disposal by way of a warning order, is a fair and proportionate disposal and is the minimum necessary to protect the public and the wider public interest.