



Case Examiner Decision  
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FTPS-23851

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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	26 February 2026
	Accepted disposal proposed - removal order
Final outcome	7 April 2026
	Accepted disposal - removal order

## Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concerns 1, 2, 3 and 4 being found proven by the adjudicators.
2. There is a realistic prospect of regulatory concerns 1, 2, 3 and 4 being found to amount to the statutory ground of misconduct.
3. For regulatory concerns 1, 2, 3 and 4, 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 a removal order. The social worker subsequently responded, confirming that they understood and accepted the proposed disposal in full.

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.

Family A	
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## The complaint and our regulatory concerns

### The initial complaint

The complainant	The complaint was raised by the social worker's former employer.
Date the complaint was received	21 June 2024
Complaint summary	The concerns were reported by [REDACTED] on the 21 <sup>st</sup> of June 2024, alleging that the social worker had failed to undertake a child in need visit as directed by their manager, falsified case recordings of the same visit and accessed case records of numerous people having no professional reason to do so.

### Regulatory concerns

Regulatory concerns are clearly identified issues that are a concern to the regulator. The regulatory concerns for this case are as follows:

**As amended by the case examiners:**

RC1. On or around 05 February 2024, you did not carry out a child in need visit to Family A as directed by your line manager.

RC2. On or around 05 February 2024 you recorded a child in need visit to Family A which you did not conduct.

RC3. Your actions at RC2 above were dishonest.

RC4. Between 02 February 2024 and 11 March 2024, you accessed approximately 37 case files belonging to service users who were not allocated to you, for no legitimate reason.

The matters outlined in regulatory concerns 1, 2, 3 and 4 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	<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

#### **Amendments to the regulatory concerns**

The case examiners have made the following amendments to the regulatory concerns, as highlighted in bold:

#### **Amendments to Regulatory Concerns 1 and 2**

RC1. On or around 05 February 2024, you did not carry out a child in need visit to Family **A** as directed by your line manager.

RC2. On or around 05 February 2024 you recorded a child in need visit to Family **A** which you did not conduct.

The case examiners have used the regulator's anonymisation protocol and instead of [REDACTED] have referred to 'Family A'. This removes any doubt about whether [REDACTED] is their real initial.

#### **Amendments to Regulatory Concern 4**

RC4. Between 02 February 2024 and 11 March 2024, you accessed **approximately** 37 case files belonging to service users who were not allocated to you, for no legitimate reason.

The cases examiners have added the word 'approximately' to the regulatory concern as they are of the view from the evidence provided to them that it may not be possible to evidence the exact number of cases that the social worker is alleged to have accessed for no legitimate reason. However, they are of the view that it is unnecessary and disproportionate to specify and evidence the exact number in light of cogent evidence that the number alleged was in the region of the alleged amount.

Following the amendments regulatory concerns 1, 2 and 4 read as follows:

RC1. On or around 05 February 2024, you did not carry out a child in need visit to Family A as directed by your line manager.

RC2. On or around 05 February 2024, you recorded a child in need visit to Family A which you did not conduct.

RC4. Between 02 February 2024 and 11 March 2024, you accessed approximately 37 case files belonging to service users who were not allocated to you, for no legitimate reason.

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 case examiners have noted the case examiner guidance, which states they should only request further information if it would not be possible to reach a decision without it. They are satisfied that their chosen course of action is consistent with the guidance.

## 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 concerns 1, 2, 3 and 4 being found proven, that those concerns could amount to the statutory ground of misconduct, and that the social worker's fitness to practise could be found impaired.

### Reasoning

#### Facts

**RC1. On or around 05 February 2024, you did not carry out a child in need visit to Family A as directed by your line manager.**

The case examiners have reviewed the documents in the evidence bundle provided and note that the evidence from the employer investigation, which includes witness statements, case records, and records of interviews indicates the following:

The social worker was directed by their line manager, during an online supervision session, to undertake two overdue visits on 5 February 2024, one to Family A and one to another family. The supervision session was cut short so that the social worker could undertake these two visits.

The social worker appears to have completed one of the visits and then states that they went on to visit Family A, but that as Family A's car was not on the drive, they took this as indication that the family were not at home, so did not attempt the visit.

However, the social worker did not inform the line manager that the visit had not taken place and on 14 February 2024, prior to going on leave, the social worker recorded that a visit had taken place with family A on 5 February 2024.

The line manager was subsequently contacted by the father of the children (Family A) who complained that they had not been visited by the social worker. The line manager informed the father that they understood the social worker to have visited on 5 February 2024, but the father maintained that no such visit had occurred. The line manager checked the status of the visit with the social worker on their return from leave on 11 March 2026, and the social worker, when challenged, confirmed that they had not in fact visited Family A on 5 February 2024 as directed.

The social worker puts forward mitigation for their alleged conduct in recording that a visit to children had taken place when this was not the case. The social worker states that they had recently returned from an extended period of leave [REDACTED] [REDACTED] and were on a phased return; despite this the social worker states they were allocated a high number of cases, including cases that were already overdue statutory visits. They express feeling overwhelmed but claim that they were unable to convey this to their line manager because supervision focussed solely on cases rather than personal issues.

The social worker accepts the regulatory concern stating in their final submission that:

*“I accept that this is a mistake that I had made. I understand the consequences of my actions and how this can have a massive impact on the family due to my unprofessionalism and dishonesty. I have never made any mistakes of any kind and completely understand the seriousness of my actions. I have reflected on my actions and I should have been honest from the start with my manager instead of putting the child and family at risk. I am current working with [REDACTED] as a social worker and there has been no further concerns around this”.*

The case examiners are satisfied that there is a realistic prospect that adjudicators would find RC1 proven.

**RC2. On or around 05 February 2024 you recorded a child in need visit to Family A which you did not conduct.**

The case recording written by the social worker on 14 February 2024 states that the social worker had visited family A on 5 February 2024 and spoken to the children who were at home with their grandparent. The children’s wishes and views were recorded

in the case notes, but the evidence suggests that the social worker had not visited that day and had not spoken to the children.

The social worker accepts that they recorded a visit and contact with the children that did not in fact take place. They say in their final submission to the regulator:

*“I accept that I had made the mistake of falsifying a case note. I was allocated a high number of cases on my return to duty and assessment without a phased return of support around this. I also had a new manager who I had not built rapport with and did not get a chance to discuss my personal wellbeing as there had been no personal supervision provided. I had the intention of arranging this visit for later that week, however I did make the mistake of falsifying the case note using info from my previous visit and the handover info from the social worker as all the cases I was allocated were out of timescale and I did not want the visit to flag up on the data as it was a final visit needed for a case that was closing to children social care”.*

The case examiners are satisfied that there is a realistic prospect that adjudicators would find RC2 proven.

### **RC3. Your actions at RC2 above were dishonest.**

When considering dishonesty, there are two tests, the subjective test and the objective test. The subjective test requires the case examiners to assess the evidence to ascertain the social worker’s actual knowledge or belief as to the facts. The question is not whether the social worker’s beliefs are reasonable, but whether they were genuinely held at that time. The objective test requires the case examiners to consider whether the social worker’s alleged conduct may be considered dishonest by the objective standards of ordinary decent people. There is no requirement for the social worker to appreciate that their conduct is, by the objective standards of ordinary decent people, dishonest.

The subjective test:

The case examiners reviewed the evidence available to discern if the social worker knew that they were recording a visit that had not taken place.

The evidence shows that the social worker has admitted that they recorded a visit for 5 February 2025, stating the children had been seen when neither the visit nor contact with the children occurred.

The case examiners note that the social worker states at the employer’s investigation and disciplinary meetings that they were feeling overwhelmed and falsified the case record because they did not want the visit to appear out of timescale on the system.

This evidence suggests that the social worker made a conscious decision to falsely record that they had visited family A and spoken with the children when they knew that they had not, and they appear to have done this to mislead others into thinking that the visit had taken place. As such, the case examiners are of the view that it is reasonable to suggest that the social worker submitted information that they knew to be false.

#### The Objective Test

The case examiners believe it is reasonable to conclude that, if a social worker was proven to have deliberately recorded a visit to a family that did not take place in order to make it appear that the visit did take place and the children were seen, an ordinary decent person is likely to view that as dishonest.

The case examiners consider that both subjective and objective tests are met. They are therefore satisfied that there is a realistic prospect that adjudicators would find this regulatory concern proven in respect of the social worker's alleged conduct captured by RC2.

**RC4. Between 02 February 2024 and 11 March 2024, you accessed approximately 37 case files and information belonging to service users and members of the public who were not allocated to you, for no legitimate reason.**

The case examiners have had sight of the employer's Liquid Logic access records which indicates that the social worker accessed case records of various individuals not on their case load approximately 37 times between 2 February 2024 and 11 March 2024. These cases were not allocated to the social worker, and they appear to have had no professional or legitimate reason to access them. The case examiners note that the social worker, when challenged, admitted that these cases included their own relatives or acquaintances and /or the social worker's neighbours i.e. members of the public.

The social worker accepts this regulatory concern and offers several reasons for accessing the records, including checking whether any service users lived near their home, seeking information on how to conduct a Section 47 investigation, and viewing information about a family member to check on their safety. The case examiners note that the social worker completed data protection training in January 2024, only a few weeks before the alleged breaches commenced. Given their training the social worker would likely have known that accessing these records without a legitimate purpose breached general data protection regulation (GDPR) requirements, yet they did so repeatedly over a period of approximately five weeks.

The case examiners are satisfied that there is a realistic prospect that adjudicators would find RC4 proven.

## 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. 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 standards, which were applicable at the time of the concerns.

As a social worker I will:

2.1: Be open, honest, reliable and fair.

2.2: Respect and maintain people's dignity and privacy.

2.6: Treat information about people with sensitivity and handle confidential information in line with the law.

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

3.11: Maintain clear, accurate, legible and up to date records, documenting how I arrive at my decisions.

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.

5.3: Falsify records or condone this by others.

The case examiners are aware that falling short of the standards may not always amount to misconduct. However, adjudicators in this instance may consider the

alleged conduct to be a significant departure from the expected standards noted above for the following reasons:

**RC1:**

Social workers have safeguarding responsibilities and are required to undertake statutory visits to vulnerable people, any failure to do so especially when directed by management could result in harm and/or placing individuals at risk of harm. In this case, the evidence indicates that the social worker's alleged conduct resulted in a complaint from the Father of Family A because a visit had not been conducted, suggesting that the family were negatively impacted by the social worker's failure to carry out their manager's directive to visit the family. In addition, the absence of communication to the manager that the visit had not taken place, likely prevented management risk oversight, potentially placing the children at risk of harm.

Such conduct, if proven, would not align with Social Work England's professional standards 3.8 and 5.2.

**RC2**

The case examiners consider that falsifying case records by recording a visit as completed, children seen and spoken to when none of these actions allegedly took place creates unacceptable risk and diminishes safeguarding oversight. They consider such action, if proven, a serious and significant breach of professional standards and public trust.

Such conduct, if proven, would not align with Social Work England's professional standards 3.11, 5.2 and 5.3.

**RC3**

Where it is found that a social worker acted dishonestly, this is always likely to be considered particularly serious. 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). Social workers are relied on to act with honesty and integrity when making important decisions about service users, their relatives and carers. When a social worker does not act honestly, this brings into question their suitability to work as a social worker.

Such conduct, if proven, would not align with Social Work England's professional standards 2.1, 5.2 and 5.3.

## RC4

Social workers in their roles have access to a large amount of confidential information about people, therefore members of the public need to be confident that when social workers access records, they do so for legitimate reasons only. The case examiners note that the social worker has provided various reasons for accessing the records including their own professional development, concerns about their own safety and that of a family member, but are of the view that these reasons/concerns could have been resolved without accessing records had the social worker taken responsibility to share their concerns with their manager. The case examiners are minded that social workers are entrusted with access to highly sensitive information about people and any non-legitimate access to this information could be considered a breach of public trust.

Such conduct, if proven, would not align with Social Work England's professional standards 2.2, 2.6 and 5.2.

The case examiners have reviewed the contextual mitigation that the social worker provided and found some of this to be supported by evidence from the employer. Namely, prior to the conduct that led to the regulatory concerns, the social worker had been absent from work for an extended period before returning in January 2024.

[REDACTED]  
[REDACTED]. On return to work, they were provided with a short phased return in a different team to their own before returning to the duty and assessment team (which had a new team manager). The social worker's request not to return to the duty and assessment team yet, was declined. The social worker was allocated over 20 cases in early February 2024 and this caused them to feel overwhelmed. The employers' investigator confirms this in their report. *'(the social worker) was allocated a caseload as soon as she returned to the team and due to changes within the team with an agency worker choosing to move on, (the social worker) was unable to have handovers on all cases. This has caused (the social worker) to feel overwhelmed at times.'*

The social worker's line manager has also acknowledged that the social worker experienced feeling overwhelmed due to their inherited case load but maintains that it was the social worker's responsibility to say if they could not manage the work.

The case examiners acknowledge this mitigation and consider it provides some context regarding the social worker's circumstances at the time of the alleged regulatory concerns. They accept, as indicated by the evidence, that the social worker likely felt overwhelmed by such a large allocation of work and that their confidence may have been low. They do not, however, consider that these factors

mitigate the seriousness of the concerns raised or justify the specific alleged departures from the professional standards required.

In summary, the case examiners consider the social worker's alleged departures from the professional standards to be serious and significant. They therefore conclude that there is a realistic prospect of adjudicators finding that the statutory ground of misconduct is engaged for RC1, RC2, RC3, and RC4.

### 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

For regulatory concerns 1, 2 and 4, the conduct could be easily remedied through training, continued professional development, ongoing reflections and adherence to practice guidance and law. The case examiners acknowledge however that cases involving potential dishonesty as is likely in RC3, may present challenges for remediation. This is because it is more difficult to produce objective evidence of reformed character.

#### Insight and remediation

The case examiners have reviewed the social worker's initial and final submissions plus their comments during the employer's investigatory and disciplinary processes. They note that the social worker has expressed remorse for their conduct for each of the regulatory concerns and apologised for any harm they may have caused. This is particularly relevant for RC1 where the social worker shows some insight into the safeguarding implications of not carrying out a statutory visit.

Although the social worker accepts responsibility for their conduct, the case examiners observe from the evidence that the social worker does not offer developed insight into the potential impact of their alleged conduct in RC2, RC3 and RC4 on others. In addition, the case examiners note that the social worker has shown little insight into the impact and wider implications of the alleged dishonest conduct on the profession and public trust in the profession. They also note little insight into the implications of repeatedly breaching the privacy of individuals by accessing their case records. The social worker's submissions indicate that they believe they have caused no harm in accessing records, but the case examiners are of the view that there is potential for harm to individuals whose privacy has been breached, also harm to the profession and public confidence in the profession when a social worker's alleged conduct has the potential to breach public trust. The case examiners are therefore of the view that the social worker has shown limited insight into the seriousness of their alleged conduct, repeatedly describing their actions as a 'mistake', with limited focus on what they should have done, and how they would act differently in future.

The case examiners note that the social worker has undertaken further training into accessing records, but they note that other training listed such as practice educator training is not supported by reflection. They are not satisfied that given the training the social worker says they have undertaken, that they have demonstrated sufficient understanding of the seriousness of their misconduct, if proven.

The case examiners note that the social worker is employed elsewhere in a social work role and has stipulated that they have not repeated the conduct that led to the regulatory concerns. They also note that the current line manager has reported that there are no fitness to practise concerns and no restrictions on the social worker's practice.

The case examiners conclude that insight and remediation are at an early stage of development and remain limited.

#### Risk of repetition

Given the above reasoning that both insight and remediation are still developing, the case examiners are of the view that a risk of repetition remains. The high number of system access breaches evidenced in relation to concern 4, despite the social worker having already completed GDPR training and accepting that they knew that they were not entitled to such access at the time, also indicates a pattern of behaviour which the case examiners consider is indicative of a 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.

The case examiners have reminded themselves that the public interest includes responding proportionately to regulatory concerns. They consider that the adjudicators may determine that a member of the public would be seriously concerned where a social worker failed to visit a family as directed by their manager, was dishonest by falsifying case records to indicate that they did visit the family, and accessed confidential records of people on numerous occasions, in breach of both policy and the law. The case examiners consider that a failure to find impairment would likely undermine the public's confidence in the profession and the maintenance of proper professional standards for social workers.

The case examiners are satisfied that there is a realistic prospect of 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 given careful consideration to whether a referral to a hearing may be necessary however they are satisfied that the public interest can be appropriately fulfilled by virtue of the accepted disposal process. Their reasoning is as follows:

- The case examiner guidance reminds them that ‘wherever possible and appropriate, case examiners will seek to conclude and resolve cases through accepted disposal’.
- There is no conflict in evidence in this case and the social worker accepts the facts.
- The social worker is clear that they accept that their conduct fell short of the standards expected of them.

- The accepted disposal process will provide the social worker with the opportunity to review the case examiners reasoning on grounds and 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.

## 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 type="checkbox"/>
	Conditions of practice order	<input type="checkbox"/>
	Suspension order	<input type="checkbox"/>
	Removal order	<input checked="" type="checkbox"/>
Proposed duration	<p>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.</p>	

### Reasoning

Having found that there is a realistic prospect that the social worker's fitness to practise is currently impaired, the case examiners then considered what, if any sanction they should propose in this case. The case examiners have taken into account their guidance. They are reminded that the purpose of a sanction is not to punish the social worker but to protect the public and wider interest. The case examiners have borne in mind the principle of proportionality and fairness in determining the appropriate sanction.

The case examiners are reminded by the guidance that they should consider mitigating and aggravating factors when considering which sanction may be appropriate or proportionate. These circumstances are summarised below:

Mitigating Circumstances:

- There is evidence of some significant personal and professional stresses for the social worker during the three month period that the regulatory concerns took place
- The social worker is of previous good character.

#### Aggravating Circumstances:

- The social worker's alleged conduct had the potential to place children at risk of harm due to failure to carry a statutory visit / accessing their confidential information
- Significant repetition of the concerns relating to improper access to confidential systems
- Limited evidence of insight and remediation

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

#### No further action

The case examiners commenced by considering whether it may be appropriate to reach a finding of impairment, with no requirement for any further action. The case examiners were satisfied that in this case, and considering the seriousness of the concerns raised, that a finding of no further action would be insufficient to protect public confidence.

#### Advice

The regulator's sanctions guidance explains that advice would set out steps a social worker should take to avoid repeating conduct that contributed to a concern. The case examiners consider that advice would not be sufficient to mark the seriousness with which they view the social worker's alleged conduct.

#### Warning

The case examiners next considered whether a warning order would be sufficient. A warning order would not however directly restrict practice and may not therefore be sufficient to protect the public where there have been significant concerns about a social worker's dishonesty, repeated unauthorised access to confidential records, and where the risk of repetition remains.

#### Conditions of Practice

The case examiners note that the sanctions guidance states:

Conditions of practice are less likely to be appropriate in cases of character, attitude or behavioural failings. They may also not be appropriate in cases raising wider public interest issues such as an abuse of trust which in turn could include the type of conduct alleged in this case i.e. dishonesty by falsifying case records and accessing confidential records.

The case examiners therefore do not consider conditions of practice a proportionate sanction in this case.

#### Suspension Order

The case examiners note that their sanctions guidance states the following about dishonesty:

*'Dishonest conduct is highly damaging to public confidence in social work. Therefore, it is likely to warrant a finding of impairment and a more serious sanction of suspension or removal'*

The case examiners are mindful that cases of dishonesty are nuanced and should be treated on an individual by individual basis. In this case, the social worker's alleged conduct for all regulatory concerns took place over a three month period of an otherwise unblemished 5 year social work career, and since these regulatory concerns, there is evidence to suggest that the social worker has shown that in the past 12 month period, they have not repeated the conduct that led to the concerns and have practised social work successfully, unrestricted. The case examiners note however that the sanctions guidance states *'Evidence of professional competence cannot mitigate serious or persistent dishonesty'*. The case examiners have already determined for reasons stated above in the grounds section that the dishonesty in this case is serious, albeit not persistent. In relation to the alleged improper access to confidential system, the case examiners note that the alleged misconduct to have taken place repeatedly and in relation to a significant number of different individuals.

The case examiners have to therefore weigh up if a suspension order is the minimum sanction required to protect the public and is a fair and proportionate sanction. In order to do so they have reviewed their guidance which points the case examiners to consider the level of insight, remediation shown by the social worker and the risk of repetition. The case examiners have already given their reasoning for concluding that insight and remediation is limited and a risk of repetition remains. That being the case, they consider that a suspension order would not be sufficient to protect the public and therefore turn their attention to the highest sanction of a removal order.

## Removal Order

The case examiner sanctions guidance states that:

*'a removal order may be appropriate in cases involving dishonesty, especially where persistent and/or concealed.'*

The case examiners note that the allegations in this case include both dishonesty and repeated breaches of trust in terms of accessing confidential information of people that the social worker did not have a legitimate reason to access.

Having set out their reasoning as to why a suspension order (and other lesser sanctions) are not appropriate in this case, the case examiners again refer to the sanctions guidance that states that:

*'A removal order must be made where the decision makers conclude that no other outcome would be enough to (do one or more of the following):*

- protect the public
- maintain confidence in the profession
- maintain proper professional standards for social workers in England'

The case examiners have decided to propose to the social worker a removal order. 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 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

The social worker provided a response on 6 April 2026 and confirmed *'I have read the case examiners' decision and the accepted disposal guide. I admit the key facts set out in the case examiner decision, and that my fitness to practise is impaired. I understand the terms of the proposed disposal of my fitness to practise case and accept them in full'*.

## Case examiners' response and final decision

Having been advised of the social worker's response, 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 by way of a removal order is a fair and proportionate way to conclude this matter, and the minimum sanction necessary to protect the public and the wider public interest.