



Case Examiner Decision
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SW32018
FTPS-22046

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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 February 2026
	Accepted disposal proposed - warning order (1 year)
Final outcome	17 March 2026
	Accepted disposal - warning order (1 year)

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concerns 2a and 2b being found proven by the adjudicators. [REDACTED]
2. There is a realistic prospect of regulatory concerns 2a and 2b being found to amount to the statutory ground of misconduct.
3. For regulatory concerns 2a and 2b, 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 determined 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 1 year. The social worker accepted this proposal.

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.

The complaint and our regulatory concerns

The initial complaint

The complainant	The complaint was raised way of a self-referral by the social worker
Date the complaint was received	21 March 2023
Complaint summary	<p>The social worker advised that they had been investigated for alleged safeguarding failures by their previous employer and were awaiting an appeal hearing regarding the employer's decision to dismiss them.</p> <p>The regulatory concerns adequately capture the allegations in the previous employer's investigation.</p>

Regulatory concerns

Whilst working as a social worker:

[REDACTED]

2. Between October 2018 and March 2022, you failed to maintain oversight of children supported through the Early Intervention Service in that you:
 - a. Have not conducted regular supervisions and/or have failed to ensure that supervisions were appropriately documented.
 - b. Did not share information with your manager, **in a timely manner and/or when requested**, meaning appropriate support was not provided to children in the Early Intervention service.

The matters outlined in regulatory concern (1), (2), (2a) and (2b) amount to the statutory ground of misconduct [REDACTED]

Your fitness to practise is impaired by reason of misconduct [REDACTED]
[REDACTED]

The case examiners have amended regulatory concern 2b to clearly reflect the alleged conduct. The words in bold have been added as the evidence indicates that the information was shared but it is the delay which is the potential concern.

The case examiners do not consider this to be a material amendment, as the social worker has responded to the concern and included comments about the alleged delay. For this reason, they have not adjourned the case to request further submissions.

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

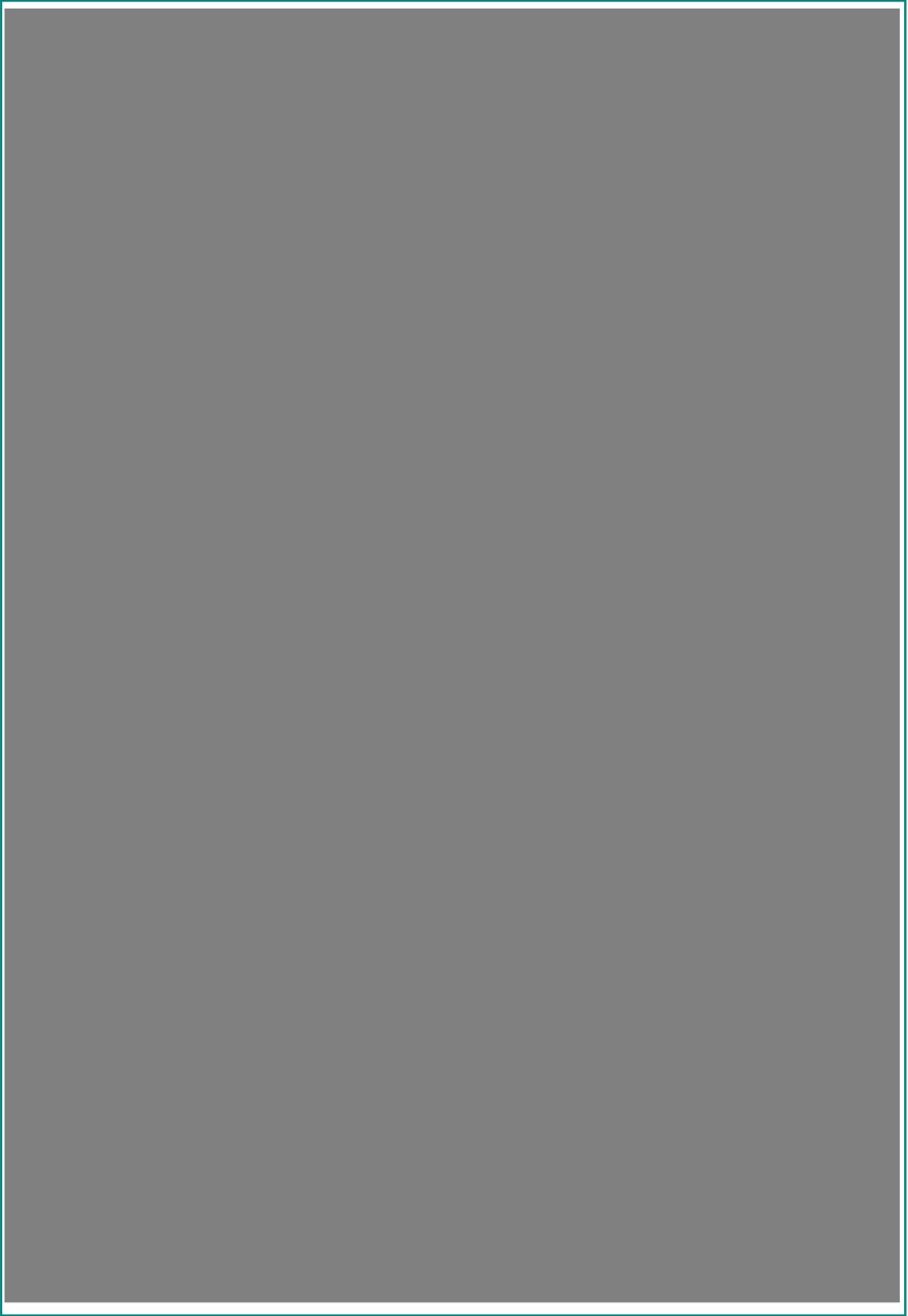
No

The case examiners have determined that there is a realistic prospect of regulatory concerns 2a and 2b being found proven, and that they could amount to the statutory ground of misconduct, and that the social worker's fitness to practise could be found impaired.

Reasoning

Facts





2. Between October 2018 and March 2022, you failed to maintain oversight of children supported through the Early Intervention Service in that you:

a. Have not conducted regular supervisions and/or have failed to ensure that supervisions were appropriately documented.

The case examiners have been provided with evidence from the previous employer, which states that the children allocated to the team, should have been discussed within supervision either every month or every three months, depending on the interventions being provided.

The previous employer has provided evidence from an audit which suggests that for some children, there was no record them being discussed in supervision for over a year.

The evidence of interviews with the social worker, suggests that they accept this regulatory concern in part, acknowledging they may not have always been recorded but regular discussions took place. The case examiners note that this claim cannot be evidenced, particularly in the face of such long gaps between recorded supervision for some children. The social worker submitted that any failure was due to the pressure upon the service, this will be considered in the later discussion on grounds.

The case examiners have considered the overarching concern and are satisfied that a failure to conduct and/or record supervision discussions could represent a failure to maintain oversight on the children supported by the social worker's team.

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

b. Did not share information with your manager, in a timely manner and/or when requested, meaning appropriate support was not provided to children in the Early Intervention service.

The case examiners have been provided with evidence from the previous employer, which explains that the conduct of concern relates to the social worker allegedly not providing their line manager with information in a timely manner about children and families who were awaiting a service from the local authority but had not been allocated to a social worker.

The evidence available suggests that children awaiting assessments and allocation were discussed by the social worker and their line manager in supervision sessions held on September and October 2021. The social worker's line manager is recorded to request further information in order to, "*understand the situation*".

The evidence provided from the previous employer suggests some confusion as to whether a list existed which contained all of the unallocated children and families who were requesting an assessment. Regardless of whether a physical list or tracker existed, it appears from all parties that the information regarding these families was recorded on the electronic system, and the social worker appears to have provided this to their line manager in November 2021, although the line manager states they did not find out the full details until much later.

The social worker admits in part that they did not provide this information initially, stating they did not have an accessible version of the information to provide. The social worker also submits that they consistently advised their line manager that there was no capacity within the team to allocate the assessments. This is supported by evidence in the form of emails from the social worker to their line manager and accounts from the social worker's team.

The evidence from the previous employer is that once the social worker was absent from work and the line manager investigated the situation fully, all of the children were allocated and for one child the assessment raised child protection concerns. This suggests that while the social worker did ultimately share the information with their line manager, the delay could be characterised as a failure to maintain appropriate oversight of the children waiting for an assessment, which may have delayed their needs being identified and suitably supported.

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

Grounds





This case has been presented on the ground of misconduct. The case examiners are aware that there is no statutory 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 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:

3.2 Use information from a range of appropriate sources, including supervision, to inform assessments, to analyse risk, and to make a professional decision.

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.

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

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

In relation to regulatory concern 2a, the case examiners consider there is a realistic prospect of adjudicators finding that the social worker did not conduct and/or record supervision records consistently, leaving some children without records of discussion and decisions made for over a year. If found proven, this would suggest there was a departure from standards 3.2, 3.8 and 3.11.

In relation to regulatory concern 2b, the case examiners consider that there is a realistic prospect of adjudicators finding that the social worker delayed sharing important information about the needs of children awaiting a service, which delayed assessment. If found proven, this would suggest there was a departure from standards 3.9 and 3.12.

The case examiners have then considered whether the evidence suggests that the alleged departure from the standards was significant. The conduct described in regulatory concern 2a was not isolated, there appears to have been several children who may not have been discussed in supervision for long periods of time and therefore did not benefit from management oversight. Additionally, as already noted, one of the children awaiting assessment appeared to be at risk of harm, given the subsequent decision to initiate child protection processes. The case examiners are of the view, given the repeated nature of the alleged conduct, over a period of time and the potential for harm, that adjudicators are likely to consider the social worker's actions to be a significant departure from the standards expected.

However, in considering whether the statutory ground of misconduct is engaged, the case examiners have noted the evidence of mitigation, set out by the social worker and supported largely by the previous employer's disciplinary investigation report. The mitigation put forward includes;

- The concerns taking place during a global pandemic and all of the uncertainty and pressure this placed upon social workers
- The lack of resources for families accessing the team during the pandemic, placing additional pressure upon the social worker's team

- The well documented staffing crises and difficulties in recruitment and retention within the local authority, it appears the social worker's team was never fully staffed during the period of concern
- The social worker's acknowledged efforts to protect and support their staff, attempting to prevent further staff absence which would exacerbate the capacity issues.
- The social worker was an experienced and well thought of team manager, with no history of fitness to practise concerns nor employer concerns.

The case examiners have previously acknowledged that it appears the social worker was responsible for discussing around 200 children/families during supervisions with their team. The case examiners note that during the disciplinary investigation, the investigating officer asked the social worker's line manager if monthly supervision with that many cases was possible and the response was recorded that the line manager was looking into it. There is no recorded outcome to this, and the case examiners consider it an important element in deciding whether the statutory ground of misconduct may be engaged.

The case examiners have further noted that whilst the evidence suggests there was a delay in the social worker sharing information about children awaiting allocation, it appears that some of this information was shared in November 2021, two months after the first recorded request. During this period there is evidence to support the social worker's comments around a lack of capacity in the team and regularly asking their line manager for support and assistance. There appears from the evidence to have been a lack of practical response to the social worker's concerns, despite it being accepted that the pandemic and workforce issues were significant issues for the social worker's team.

Given the evidence of mitigation, the case examiners acknowledge the difficult situation for the social worker. However, they also acknowledge the extensive period which some children appear to have gone without management oversight and the potential implications for the many families who were requesting support. The social worker is recorded to have been asked in interview why they did not record that there was no capacity to conduct full supervisions or that there were children with unassessed needs requesting support. The social worker felt that this would have led to them being blamed by senior management. Whilst the case examiners again appreciate the difficult situation the social worker was in, they consider that all social workers have a responsibility to escalate issues so that it is clear when vulnerable people are not receiving an appropriate service.

The case examiners consider this to be a finely balanced consideration but given the aggravating factors and risk of harm to children, they are satisfied there is a realistic prospect of adjudicators finding the statutory ground of misconduct engaged.

Impairment

Assessment of impairment consists of two elements:

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

Personal element

With regard to the concerns before the regulator, the case examiners have given thought to their guidance and 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 alleged conduct is remediable, the social worker is an experienced and skilled practitioner, and it appears that the omissions detailed in the regulatory concerns were not representative of their general practice. With reflection and evidence of current practice, the social worker could demonstrate they have adequately addressed the risk of repetition.

Insight and remediation

The case examiners note that the social worker has felt let down by their previous employer and subsequently decided to remove themselves from practice. Because they are not working as a social worker, it is difficult from them to provide evidence of remediation. Whilst the social worker could complete continuing professional development in the relevant areas, this is less likely given that they no longer wish to practise.

However, the case examiners are of the view that the social worker could have provided reflections on what went wrong and what they could have done differently, to evidence that they have developed insight. They could also have spoken about the impact of their alleged conduct upon service users and others.

The social worker has provided very limited submissions, which does not allow the case examiners to adequately assess any insight they may have. The case examiners have considered the statement of case provided by the social worker to their previous employer, but this focuses on the mitigation and structural difficulties which impacted on the social worker's team. The case examiners do acknowledge that the social worker referred themselves to the regulator which demonstrates some appreciation that their conduct fell below that expected and that regulatory action was necessary.

Risk of repetition

The case examiners acknowledge that they have limited evidence of insight and remediation from the social worker, in part because the social worker has chosen to remove themselves from the profession and states they have no intention to return.

They also recognise that the social worker is unrepresented in the fitness to practise process and that having a representative may have assisted them in understanding what the regulator requires. However, whilst the case examiners have identified that the social worker was a very experienced and well thought of team manager, in the absence of any demonstrated insight or remediation, they cannot be satisfied that the risk of repetition is 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 sanctions guidance sets out that there will be situations where "*decision makers may decide that the conduct is serious, but that there is no realistic prospect of finding impairment (unless the conduct is repeated)*". Examples of these situations within the guidance include "*errors or failings in practice which the social worker has addressed (so that there is minimal risk of repetition)*". The case examiners are therefore of the view that it would be open to them to conclude that a finding of impairment is not necessary to uphold public confidence and the professional standards, if the risk of repetition had been addressed.

The case examiners have considered if not finding impairment in this case is likely to undermine the public's confidence in the profession or would fail to maintain the professional standards expected of social workers. The case examiners have concluded that the public would understand the difficult context in which the social worker was practising and if they had provided sufficient evidence of insight and

remediation, it is likely that adjudicators would not feel it was necessary to make a finding of impairment.

However, whilst the conduct is remediable, the case examiners have previously concluded that a risk of repetition remains, given the lack of insight and remediation demonstrated. The case examiners are of the view that the public would expect a finding of impairment in cases where there is a risk of repetition, given the risk of harm to children.

Having considered both the personal and public elements, the case examiners have concluded there is a realistic prospect that adjudicators would find the social worker's fitness to practise to be currently 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 not indicated to the regulator whether they 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 although the social worker appears to suggest much of the responsibility lies with their previous employer, they accept all of 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 checked="" type="checkbox"/>
	Conditions of practice order	<input type="checkbox"/>
	Suspension order	<input type="checkbox"/>
	Removal order	<input type="checkbox"/>
Proposed duration	1 year	

Reasoning

In considering the appropriate outcome in this case, the case examiners have had regard to Social Work England’s impairment and sanctions guidance (December 2022) and reminded themselves that the purpose of sanction is not to punish the social worker but to protect the public and the wider public interest. The case examiners are reminded by this guidance that they should consider mitigating and aggravating factors when considering which sanction may be appropriate or proportionate. In relation to this case, the case examiners have previously identified several mitigating factors, comprising;

- Challenging context of practice at the time, including significant staffing issues and what appears to be a lack of management support/action
- The Covid-19 pandemic which placed further pressure on limited resources to support families
- An absence of fitness to practise concerns previously
- The social worker was well thought of by colleagues and there had been no prior concerns during their long career with their employer

The case examiners have identified the following aggravating factors:

- The alleged concern about lack of supervision and or the recording of such relates to an extended period of over a year

- The consequences for the children who did not receive sufficient oversight and were unallocated, could have been serious and it appears that child protection concerns were missed in one case.

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 and the next sanction above it 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*".

However, the case examiners also acknowledge the extensive mitigation evidenced. They note that the social worker appears to have been under significant pressure and to have lacked sufficient management support in dealing with their challenges. The social worker has indicated that they do not wish to return to practice, however this view may change. The case examiners are of the view that they could formulate workable conditions to monitor the social worker's practice, but they are not satisfied that this would be proportionate, given the mitigation evidenced and the social worker's many years of good practice previously.

The case examiners have therefore considered a warning order, which the guidance describes as showing "*clear disapproval of the social worker's conduct or performance. A warning order is a signal that the social worker is highly likely to receive a more severe sanction if they repeat the behaviour*". Given that the fitness to practise issue was limited in terms of a career spanning many years and the evidence of the social worker's general competence, the case examiners are satisfied that a warning order is the minimum necessary to protect the public and uphold the public interest.

The case examiners have given thought to the appropriate duration of the warning order. They acknowledge that the guidance suggests a one-year order "*may be appropriate for an isolated incident of relatively low seriousness*" and therefore have concluded that this is not sufficient to mark the serious implications of the social worker's misconduct. They note that a 3-year order is appropriate for more serious

concerns and “5 years may be appropriate for serious cases that have fallen only marginally short of requiring restriction of practice”. Given that the sanctions guidance led them to consider a conditions of practice order, due to the finding of the personal element of impairment and risk of repetition, the case examiners initially considered that five years may be the most appropriate outcome.

However, the case examiners have returned to the significant mitigation evidenced by the social worker and the disciplinary investigation conducted by the previous employer. The case examiners consider it is appropriate to recognise that the Covid 19 pandemic was a period of extreme pressure and challenges for many social workers and when a previously well thought of and competent social worker faces regulatory concerns during this period, it is right to consider that the pandemic may have played a significant part in what happened. The case examiners have discussed throughout this decision the mitigating factors which could be argued to reduce the social worker’s culpability. However, they have also balanced this with the implications for the children who appeared to have not received a sufficient service and that the social worker could have done more to escalate concerns. Whilst the case examiners were not satisfied that the mitigation was sufficient to undermine a finding of misconduct nor impairment, they are of the view that it is sufficient to justify a shorter warning order than 5 years. They considered whether a 3 year warning order was then most appropriate but due to the weight and significance which they placed upon the mitigating factors, they are of the view that one year is sufficient.

The warning will provide a clear response from the regulator to remind social workers of the professional standards and to uphold public confidence, whilst recognising the pressure placed upon the social worker.

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

Content of the warning

It is important that service users receive a safe and effective provision of services, including effective management oversight. If this is not possible, it is essential that

this is escalated to senior managers to prevent any risk to service users being missed or not adequately addressed.

The conduct that led to these allegations should not be repeated. Any similar conduct or matters brought to the attention of the regulator are likely to result in a more serious outcome.

The case examiners particularly remind the social worker of the following Social Work England professional standards:

As a social worker, I will:

3.2 Use information from a range of appropriate sources, including supervision, to inform assessments, to analyse risk, and to make a professional decision.

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.

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

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

This warning order will be for a duration of 1 year.

Response from the social worker

On 11 March 2026, 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 again considered the public interest in this matter and, as they have not been presented with any new evidence that might change their previous assessment, they are satisfied that it remains to be the case that the public interest in this case may be fulfilled through the accepted disposal process.

The case examiners therefore direct that the regulator enact a warning order of 1 year duration.