

Case Examiner Decision
Patrick Wilson – SW90129
FTPS-23531

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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	4 July 2025
	Accepted disposal proposed – 6 month suspension order
Final outcome	23 July 2025
	Accepted disposal – 6 month suspension order

Executive summary

The case examiners have reached the following conclusions:

1. There is a realistic prospect of regulatory concern 1 (1.1 & 1.2) being found proven by the adjudicators. [REDACTED]
2. There is a realistic prospect of regulatory concern 1 (1.1 & 1.2) being found to amount to the statutory grounds of misconduct.
3. For regulatory concern 1 (1.1 & 1.2), there is a realistic prospect of adjudicators determining that the social worker's fitness to practise is currently impaired

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

As such, the case examiners requested that the social worker was notified of their intention to resolve the case with a suspension order of 6 months' duration; the social worker subsequently accepted this proposed disposal.

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.

In accordance with Social Work England's fitness to practise proceedings and registration appeals publications policy, anonymised the names of individuals have been anonymised 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

Person B

Person C

Person D

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	23 April 2024.
Complaint summary	The referral relates to allegations that the social worker engaged in sexually inappropriate behaviour towards two work colleagues.

Regulatory concerns

Regulatory concerns are clearly identified issues that are a concern to the regulator.

The regulatory concerns for this case are as follows:

Whilst registered as a social worker:

Regulatory Concern 1: On or around 24 November 2023, you behaved in an inappropriate manner towards work colleagues by:

1.1 Hugging Person A from behind and pushing your groin into her.

1.2 Smacking Person B on the bottom.

Grounds of impairment:

The matters outlined in regulatory concern [REDACTED] amount to the statutory grounds of misconduct.

Your fitness to practise is impaired as outlined at regulatory concern [REDACTED] 1 [REDACTED] y 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	☐

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 (1.1 & 1.2) being found proven, that this concern could amount to the statutory grounds of misconduct, and that the social worker's fitness to practise could be found impaired.

Reasoning

Facts

Regulatory Concern 1: On or around 24 November 2023, you behaved in an inappropriate manner towards work colleagues by:

1.1 Hugging Person A from behind and pushing your groin into her.

1.2 Smacking Person B on the bottom.

The case examiners have carefully considered all of the information presented to them in relation to concern 1 (1.1 & 1.2), and consider the following evidence to be key with regard to their determination of facts:

Record of employer's formal investigation interview with Person A, 13 December 2023:

Person A describes having been at a work meeting with a room full of colleagues. They advise that while they (Person A) were standing behind another colleague, the social worker *“came behind me and put his arms over my shoulders and onto (the other colleague). (The social worker) said, “is this a group hug” and pressed himself against me. I felt his body, zip and clothes on my back and bum”*.

Person A is asked how they felt after the incident, and outline the adverse that it had on them, leaving them feeling irritated, angry, and nervous about seeing the social worker again.

Person A advises that after the incident, the social worker did not appear to have any awareness of the impact of his actions and just walked away.

Person A further states that following the incident they had spoken to their husband and other males friends to *“see if they are aware of their body”*, and *“feels as though (the social worker) must have known”*.

Record of employer’s formal investigation interview with Person B, 14 December 2023:

Person B states that, on the day of a work team event, they *“leaned over to say hello to (work colleagues) then the social walked in and he slapped my bottom”*. Person B states that they *“turned around thinking it may be someone close to me, a female friend, but it was (the social worker). I was really shocked”*.

Person B expressed being shocked by the social worker’s actions, stating that *“I was bent over but that doesn’t mean someone should slap my bottom”*, and that they were *“really shocked that he would do something like that. Knowing him he is a nice person; I have worked with him before and he has never been inappropriate. Maybe didn’t know how to act that day. I don’t know what he was thinking”*.

Person B further states that they do not consider the social worker to have had any awareness of the impact of their actions. Rather the social worker *“just laughed about it and said, “I couldn’t resist that.”*

Person B describes the impact on them of the social worker alleged actions: *“I wouldn’t do that with my male colleagues. It wasn’t right. It didn’t feel right”*. They add, however, that they do not believe that the social worker meant his actions *“in a sexual way. I wouldn’t say he assaulted me, maybe he just doesn’t know boundaries. I wouldn’t say he meant it in a bad way, I just don’t want him to go on and keep doing that as it may affect others differently. I don’t want him to get in trouble, but he needs to understand that he cannot do that again”*.

Record of employer's formal investigation interview with Person C, 13

December 2023:

Person C advises that they were with Person B when the social worker entered the room and said "*good morning*". While they did not see anything happen, they advise that as the social worker walked off, Person B said "*(the social worker) has just tapped my ass*".

Person C states that Person B told them afterwards that they did not feel that (the tap) was sexual, and appeared to be fine.

Record of employer's formal investigation interview with Person D, 14

December 2023:

Person D refers to what appears to be the work event in question. When asked about information that the social worker may have tried to "*cuddle her*" at this event, Person D states that "*I wouldn't say cuddle I would say hug. Our team like to do this. I was just recovering from covid and aware that I may still be infectious. I said, 'don't hug me'. I made it clear I didn't want to be hugged by him or by anyone*".

Person D proceeds to describe the social worker as seeming "*a little bit hyper that day. I relate that to being with colleagues after being isolated for so long. He might have been really happy to see people*".

Person D describes being informed by another colleague about the alleged "*slap*". Person D states that they "*said something (to Person B) like 'you must have been shocked and (they) said, 'yes I was.'*"

Record of the preliminary fact finding meeting held with the social worker on 29th November 2023:

In the course of this meeting the social worker is presented with the allegation at concern 1.1, as follows:

"(The social worker) stood directly behind me, but facing me; he outstretched his arms, putting his arms over my shoulders and he placed his hands onto (another colleague's) shoulders and said 'Is this a group hug'. (He) then pressed himself against me, with such a degree of force that I felt his groin area pressed into my lower back/top of my bum."

The social worker is recorded as responding that they had engaged in '*the physical act*' of '*a hug*' with Person A, but reports that he is '*dumbfounded*'. He is recorded as assuming that the contact "*must have been interpreted as being sexual in some way*

and he is adamant that this was not the case. The contact was no more than a friendly hug”, and that there was “no sexual intent” in it.

The social worker advised that he could not recall ever having previously hugged Person A, but *“contextualised the situation in terms of not seeing a colleague for a long time (possibly not since July 2022) and giving them a group hug out of friendship. It was nice to see her as it was to see other members of the team”.*

The social worker is recorded as having no intention to cause Person A *“upset”,* and feeling *“mortified”.* He is recorded as being *“genuinely horrified that this allegation has been made”* and that he would *“willingly apologise for what has happened and how it has made (Person A) feel”.*

Record of employer’s formal investigation interview held with the social worker (undated, but understood to be 28 February 2024):

In relation to concern 1.1 the social worker is asked to give an account of allegedly having hugged Person A. The social worker is recorded as stating that there is not a lot he can recollect from that day, but that *“ I was with the team ... she was there, we are colleagues I was pleased to see her, gave her hug from behind, she had a colleague in front of her, totally innocent action on my behalf, afterwards we were ... all talking like nothing had happened”.*

However, the social worker expresses being *“mortified”* by the allegation that he pressed his groin into Person A’s back, stating *“there was nothing in it at all”* , and references wearing the same clothes as he had on at the time of the alleged hug, indicating his clothes, belt, and wallet in his pocket.

The social worker subsequently states that he is not *“100 % sure (that he) hugged her from behind, it was from the side”.*

In relation to concern 1.2, alleging that he smacked the bottom of Person B, the social worker is recorded as stating that *“if I had done that and I don’t recollect, it would have been a hello on her back”.* However, the social worker goes on to advise that *“if (Person B) has said that’s what I have done, then I probably have but I don’t recollect that. Smacked is the wrong terminology”.*

When asked to comment why Person B would mind him smacking her bottom, the social worker responds *“I am going to say I may have done what (Person B) said, I don’t recollect it at all, but I think as I said previously yeah (Person B) has obviously raised the issue and the allegation”*, and agrees that his actions may have had an impact on Person B.

The social worker advises that while he is a tactile person with friends and family, and although having seen other colleagues hug in the office, it is not behaviour that he would normally engage in. Asked what was different about the day in question, the social worker responds *“Probably the joy, jubilation of actually seeing my colleagues again and other colleagues that I have worked with and spoken to on teams. Of seeing people”*.

The social worker’s statement for the employer’s disciplinary hearing, 1 May 2024:

The social worker advises that their responses to the two allegation have always been the same, and that, *“Yes I hugged (Person A) but I do refute and contest the allegation that I pushed my groin into her back”*. They state they *“do not recollect smacking (Person B) on the bottom”* on the morning of the conference.

The social worker adds that *“on being advised ... of the allegations being made I instantly offered to apologise in person to the 2 individuals concerned and to attend any necessary re-training so that any such incidents on my part do not recur again”*.

The social worker says that a number of individuals at the conference were hugging colleagues they had not seen for some time, and indicate that, in that context, they consider their behaviour (to the extent admitted) to have been justified. They also reiterate that they do not recollect smacking Person B on the bottom, and make reference to no one else having witnessed this act.

The social worker states that a potential explanation for their actions is that they were *“happy to see colleagues face to face that day as opposed to seeing them purely on Teams”*.

The social worker’s reflective statement, 15 November 2024:

The social worker continues to advise that while they admit hugging Person A, they deny pushing their groin into them. They provide an account of having seen Person A hugging another colleague who they also knew, and of approaching them with the words *“is this a group hug”*, and then giving both colleagues *“a gentle hug placing my arms on their shoulders”*. They deny hugging Person A with any force.

The social worker denies allegation 1.2, stating that *“this is not something I would have done or have ever done in my professional career”*.

However, they also advise that, *“I should have ensured I had their consent or simply maintained professional boundaries by not making contact with (Person A and B). I fully realise that a friendly interaction which was not intended to be remotely sexual in*

nature could be perceived as such. I should have known that my actions could be interpreted this way and moving forward, I will never instigate or enter a colleague's personal space, and certainly not unless instigated by them".

The social worker's response to Social Work England (via a representative) 24 March 2025:

In this response, the social worker is recorded as partially admitting concern 1.1 in that they accept having hugged Person A, but deny having pushed their groin into them.

The social worker's representative asserts that, in relation to the allegation that the social pushed their groin into Person A, *"the evidence upon which Social Work England seek to rely is either inadmissible hearsay, biased or otherwise unreliable"*.

The social worker's representative notes that Person A has indicated an unwillingness to engage in future fitness to practise proceedings. In addition, the representative questions the use of the word "groin" in concern 1.1, advising that Person A has not used this word, and that it is *"an invention of the (employer's) investigation officer."*

The social worker states that they had expressed remorse for the hug during the employer investigation as they had *"clearly misread the situation"*, and on reflection, acknowledges that they *"clearly should not have hugged"* Person B.

The social worker also acknowledges that they *"now better understand that under the definition of sexual misconduct while hugging is generally seen as a friendly gesture, it is crucial to acknowledge that it can constitute sexual harassment if performed without clear consent or against someone's wishes. Unwanted or inappropriate hugging can make individuals feel uncomfortable, violated or disrespected"*.

The social worker, via their representative denies concern 1.2 . It is stated that the social worker has no recollection of the incident and that there is an absence of witnesses and of *"authoritative and contemporaneous corroborative CCTV evidence or incident reporting"*.

Case examiners assessment of the evidence:

The case examiners are satisfied from the information presented to them, as summarised above, that there is cogent evidence to indicate that on or around 24 November 2023, the social worker did behave in an inappropriate manner towards two work colleagues, Person A and Person B.

In relation to concern 1.1, the case examiners note that the social worker accepts having hugged Person A, and also, in their reflective statement, acknowledges that doing so without consent, could constitute sexual harassment. While the social worker denies that the hug included them pushing their groin into Person A, the case examiners are satisfied that there is evidence to indicate that the social worker did do so.

The case examiners consider the social worker to have provided inconsistent accounts of how the hug occurred, but note that in the first account recorded with their employer, which took place just a few days after the alleged incident, it was clearly put to the social worker that Person A was alleging that they had pressed themselves against Person B in a way which caused them to feel the social worker's groin against their back and bottom. The social worker, while expressing surprise at the allegation, accepts having made physical contact and hugging Person A, and does not dispute the allegation that the contact happened as presented to him. The social worker states that, while horrified and hurt by the allegation, they "*would willingly apologise for what has happened and how it made Person A feel*".

In their subsequent formal interview with their employer the social worker initially appears clear that they gave Person A a hug "*from behind*", before then appearing to change their mind and say that it may instead have been "*from the side*". Again, while expressing being "*mortified*" by the allegation, the social worker does not clearly dispute that Person A may have felt his groin, but appears to indicate that his clothing, which included a belt and wallet, may have been what was felt, and that "*there was nothing in it at all*".

In their final reflective statement, the social worker's description of simply giving colleagues "*a gentle hug placing my arms on their shoulders*", is, in the opinion of the case examiners, significantly different to the account provided by Person A, who reports being shocked and very upset by the nature of the hug.

In relation to the issues raised by the social worker's representative regarding hearsay, the case examiners are aware that the admissibility of evidence, regardless of whether Person A attends any future proceedings as a witness or not, is a matter for adjudicators. They note that Person A has provided evidence in a formal employer investigation, and it is also indicated in the employer evidence above, that Person A wrote a statement relating to the events in question, although this has not been included in the evidence presented to the case examiners. Whilst currently indicating an unwillingness to engage in any future fitness to practise proceedings, Person A may prove still prove willing to do so at a future point.

In relation to the suggestion that Person A had not indicated during the employer investigation that the social worker had pushed their groin into them, the case

examiners are satisfied that Person A did make such an allegation. For example, it appears to the case examiners from the description provided by Person A in the record of their employer interview that this is clearly implied by the words *“I felt his body, zip and clothes on my back and bum”*, and also by the questions Person A says they have asked other males about being aware of their *“body”*. Further, there is reference by Person A to having made a statement, and in the preliminary meeting with the social worker, there is an indication that it is an extract from this statement that is being read to the social worker, and that Person B does allege that they felt the social worker’s *“groin area”* pressed against them.

In relation to concern 1.2, the case examiners again consider the social worker’s responses to have been inconsistent during the course of the fitness to practice process.

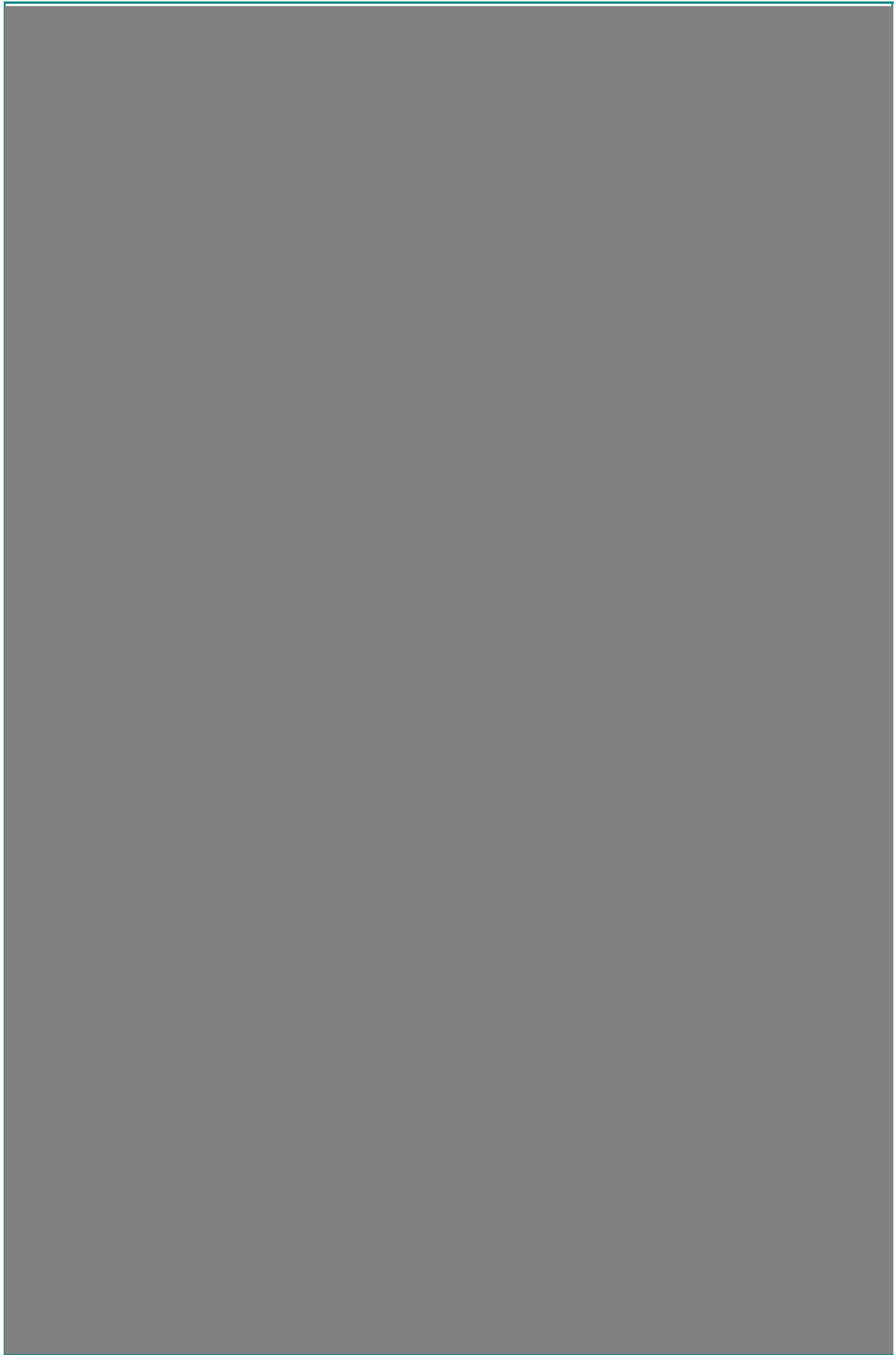
While the social worker has maintained that they do not *‘recall’* the incident, in the initial employer interview, they stated that *“if (Person B) has said that’s what I have done, then I probably have but I don’t recollect that. Smacked is the wrong terminology”*. In their final reflections, the social worker advises that they have never, and never would, act in the way alleged, but then proceeds to advise that they should either have sought the consent of, or simply not made contact, with both Person A and Person B.

Person B, however, provides a clear account of what they allege occurred, and colleagues, while not witnessing the event themselves, also confirm that Person B told them what had occurred and appeared shocked, immediately after the alleged action. Person B is clear that they found the social worker to be a *“nice person”* and appears to have been surprised by what occurred; there is no evidence that Person B was mistaken or that they had any motive to create a version of events that did not occur.

The case examiners are satisfied that if concern 1.1 and /or 1.2 were subsequently found proven by adjudicators, then this would constitute inappropriate behaviour towards colleagues. A hug given without consent, particularly given in the way alleged and causing the receiver of the hug to feel in the way expressed by Person A, and smacking or touching the bottom of a colleague, are both likely, in the opinion of the case examiners, to be considered intimidating and offensive, and to potentially constitute sexual harassment and/or sexual misconduct in the workplace.

The case examiners are therefore satisfied that there is a realistic prospect of adjudicators finding concern 1 (1.1 & 1.2) proven.





Grounds

The case examiners are aware that of misconduct is generally considered to 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, namely the Social Work England Professional Standards (2019).

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 have also noted that the relevant council had a “Code of Conduct and Dignity at Work policy” outlining the standards of behaviour that all staff were expected to adhere to.

Having considered the relevant standards, the case examiners are of the view that the social worker’s alleged conduct was serious, and had the potential to constitute sexual harassment and/or sexual misconduct, and to create an intimidating, hostile, degrading, humiliating or offensive environment for colleagues, even if this effect was not intended.

There is also evidence of actual harm, with Person A in particular outlining how the social worker’s alleged actions had a significant adverse impact on them, and made them feel nervous about seeing the social worker at work.

Guidance also reminds the case examiners that they must take sexual misconduct involving colleagues seriously. This is because it can damage workplace relationships and negatively impact the quality of care and support provided to service users. It can also damage public confidence in the profession.

The case examiners are therefore satisfied that the social worker's alleged actions, if subsequently found proven, would constitute a significant breach of the required professional standards.

The case examiners are satisfied that there is a realistic prospect of adjudicators finding the statutory grounds of misconduct proven.

Impairment

Assessment of impairment consists of two elements:

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

Personal element

With regards to the concerns before the regulator, the case examiners have given thought to their guidance, and they note that they should give consideration to whether the matters before the regulator are easily remediable, and whether the social worker has demonstrated insight and/or conducted remediation to the effect that the risk of repetition is highly unlikely.

Whether the conduct can be easily remedied

The case examiners are of the view that serious misconduct involving inappropriate behaviour towards colleagues that may be considered sexual harassment and /or sexual misconduct may be difficult to remediate. However, they nonetheless do consider it possible for a social worker to attempt remediation, for example by providing clear evidence that they understand the causes, actions, and potential impact of their alleged behaviour and have remediated to such a degree that any risk of future repetition is highly unlikely.

Insight and remediation

The case examiners guidance on impairment and sanctions reminds them that a social worker may demonstrate insight by making “*full and early disclosure*” to their employer and those impacted about what has happened, and fully cooperating with any subsequent investigations and enquiries into the events. Starting relevant remediation early may also be good evidence of insight.

In relation to this case the case examiners are of the view that the social worker’s insight and remediation appears to have been slow to develop. They consider it to have been particularly limited during the course of the employer’s investigation, with the social worker’s initial responses, while providing assurances that such actions would not happen again, indicated a lack of understanding of the inappropriateness of their alleged actions. For example, while the social worker did initially express regret and feeling “mortified” by the allegations, offered to apologise to the parties concerned, and showed some understanding of why they may have behaved as alleged, they proceeded to provide inconsistent and unclear accounts of their actions, which the case examiners consider undermined any expressions of regret or an understanding of what they had done and why. Further, during the course of the employer investigation, the social worker indicated that he “*was speechless*” that colleague’s could have interpreted his actions as “*sexual in some way*” and felt that colleagues not saying anything to him at the time was “*somewhat underhand*”. In their formal interview with their employer, the social worker also expresses the view that “*the way (Person A has) gone around has exacerbated the situation. I would have preferred she felt comfortable to approach me, and I would have apologised straight away ... There has also been a negative impact on me, ok you’re allowed to raise an allegation, my point of view would have been better if she approached me. I just wonder why she didn’t feel able to do that. I don’t know why she didn’t feel able at all*”.

However, the case examiners acknowledge that the social worker has, in their submissions to Social Work England demonstrated that they have, over time, developed good insight and remediation, particularly in relation to having hugged Person A. Although they dispute pushing their groin against Person A (as they are entitled to dispute) the social worker shows their clear understanding of why a hug can “*constitute sexual harassment if performed without clear consent or against someone’s wishes. Unwanted or inappropriate hugging can make individuals feel uncomfortable, violated or disrespected*”.

While the social worker continues to deny concern 1.2, as they are entitled to do so, they still acknowledge that *“what I should have done is allow others to initiate contact only if that was their choice to avoid my own actions being misconstrued in the workplace. I should have ensured I had their consent or simply maintained professional boundaries by not making contact with (Person A) and (Person B)”*.

In addition the social worker offers assurances that they understand that they *“fully realise that a friendly interaction which was not intended to be remotely sexual in nature could be perceived as such. I should have known that my actions could be interpreted this way and moving forward, I will never instigate or enter a colleague’s personal space, and certainly not unless instigated by them”*.

The social worker also reflects on and acknowledges how the allegations have the potential to adversely impact on public confidence in the profession, service users and the wider profession, and details how colleagues may be concerned about working with him in future, if the allegations were found proved.

The social worker also provides evidence of having completed relevant continuing professional development training i.e., Privacy and Dignity in September 2024, and Professional Boundaries in Health and Social Care, also in September 2024. The case examiners have also been provided with some positive testimonies suggesting that the social worker’s alleged actions were out of character.

Risk of repetition

The case examiners, while having some concerns about the social worker initially demonstrating limited insight and remediation, are of the view that fuller insight and remediation has developed over time. As such, 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.

While the case examiners consider that a fully informed member of the public would be reassured that the social worker has, over time demonstrated evidence of insight and remediation into the alleged concerns, they would nonetheless be concerned that the social worker acted as alleged, in the first instance. The social worker appears to have been an experienced social worker and should already have been

aware that their conduct (as alleged) was totally inappropriate and could have had an adverse impact on colleagues. In addition, colleagues were adversely impacted on, with Person A in particular reporting feelings of being trapped, irritation and anger to the extent that they found it hard to focus.

The case examiners are of the view that in light of the seriousness of the alleged conduct, which includes allegations that could constitute sexual harassment and or sexual misconduct, that the public would expect a finding of impairment and an appropriate sanction to be made.

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

The case examiners have given careful consideration to whether a referral to a hearing may be necessary in the public interest. The case examiners have noted the following:

- The case examiners guidance reminds them that “*wherever possible and appropriate, case examiners will seek to resolve cases through accepted disposal. This is quicker and more efficient than preparing and presenting a case to a fitness to practise panel*”.
- While the social worker only partially accepts concern 1.1, disputes concern 1.2, and does not indicate whether they consider their current fitness to practise to be currently impaired, the case examiners are of the view that the social worker should be afforded the opportunity of an accepted disposal proposal to consider the case examiners’ assessment of the evidence presented to them, and to reflect on whether they do accept the case examiners’ findings in relation to the facts.

- The accepted disposal process will also 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 reject the case examiners finding on facts and grounds, or explore the question of impairment in more detail.

The case examiners are aware that a case cannot be concluded through an accepted disposal process where a social worker does not accept the facts and does not agree that they are currently impaired. At this stage, however, the case examiners' proposal for an accepted disposal process does not mark the conclusion of the case, as that requires a response from the social worker for the case examiners' consideration. It is also subject to a final review of the case by the case examiners, who may still determine to send the matter to a public hearing, following any response received.

Accepted disposal

Case outcome

Proposed outcome	No further action	☐
	Advice	☐
	Warning order	☐
	Conditions of practice order	☐
	Suspension order	☒
	Removal order	☐
Proposed duration	6 months	

Reasoning

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

In determining the most appropriate and proportionate outcome in this case, the case examiners have first considered any mitigating or aggravating factors in this case, and consider the following to be relevant:

Mitigating:

Evidence of expressions of genuine regret and remorse.

Development of insight and remediation.

Previous good character.

Aggravating:

Evidence of actual harm to colleagues.

That the concerns may be considered to constitute sexual harassment and/or sexual misconduct.

The case examiners have next considered the available options in ascending order of seriousness.

The case examiners determined that taking no further action was not appropriate in a case where the social worker had acted in a way that could be considered to constitute sexual harassment and/or sexual misconduct towards work colleagues. This would not provide the necessary level of public protection and would not satisfy the wider public interest. The case examiners consider that it would not reflect the seriousness with which they consider the alleged conduct.

Similarly, the case examiners considered that sanctions of offering advice or issuing a warning would also be insufficient in this case. Advice will normally set out the steps a social worker should take to address the behaviour that led to the regulatory concerns. A warning is usually issued to serve as a clear expression of disapproval of the conduct that led to the regulatory concerns. The case examiners guidance on sanctions advises them that they must take allegations of sexual misconduct involving colleagues seriously as they can damage workplace relationships and negatively impact the quality of care and support provided to service users; it can also damage public confidence in the profession.

Whilst the case examiners have found the risk of repetition to be low in this instance, the case examiners do not consider, given the nature of the allegations and evidence of harm caused, that offering advice or a warning order would be sufficient to protect public confidence in the profession.

Next, the case examiners turned their minds to conditions of practice. The primary purpose of a conditions of practice order is to protect the public whilst the social worker takes any necessary steps to remediate their fitness to practise. Conditions are most commonly applied in cases of lack of competence or ill health. The sanctions guidance states that conditions are less likely to be appropriate in cases of character, attitudinal or behavioural failings. Again, in light of the nature of the social worker's alleged actions, the case examiners do not consider conditions of practice to be appropriate or workable. Further, the case examiners consider that in the circumstances of this case, conditions would not reflect the seriousness of the alleged concerns and would not uphold public confidence.

As such, the case examiners went on to consider suspension. The sanctions guidance states that suspension is appropriate where no workable conditions can be formulated that can protect the public or the wider public interest and where the case falls short of requiring removal from the register. The case examiners have given careful consideration to whether suspension would be an appropriate sanction in all the circumstances of this case. In doing so, while noting the seriousness of the alleged concerns, the case examiners have also paid particular regard to the mitigating factors they have found, and in particular the development of insight and

remediation by the social worker. The case examiners have also found the risk of repetition to be low, that the social worker is of otherwise good character, and that the alleged concerns appear to be limited to one day in an otherwise unblemished career. As such, the case examiners have concluded that this is a case which does “*fall short of requiring removal from the register*”, and are therefore satisfied that a suspension order is an appropriate sanction.

For the same reasons outlined, the case examiners are satisfied that the duration of a suspension order should be 6 months. They consider that this marks the seriousness of the alleged concerns and the adverse impact on the colleagues concerns, while taking into account the degree of insight and remediation demonstrated by the social worker, particularly in their final reflective piece.

To test out their assessment, the case examiners also considered whether a removal order might be more appropriate. While taking into account the serious nature of the allegations, the case examiners are of the view that a 6 month suspension order can protect the public, maintain confidence in the profession, and maintain proper professional standards for social workers in England, and that, it therefore follows, a removal order would be unnecessarily punitive.

To conclude, the case examiners have decided to propose to the social worker a suspension order of 6 months’ 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 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.

Recommendations for the social worker

The case examiners note that the social worker has provided evidence of insight and remediation having been developed since the employer’s investigation. They recommend that the social worker continues to provide evidence of any further insight and remediation, including any additional training that they have engaged in, prior to any review of their suspension order.

Response from the social worker

On 21 July 2025 the social worker responded to the proposed accepted disposal as follows:

“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’ final decision

The case examiners have reviewed their decision, paying particular regard to the overarching objectives of Social Work England:

- The protection of the public
- Maintaining confidence in the social work profession
- The maintenance of professional standards.

The case examiners remain satisfied that an accepted disposal of a 6 month suspension order is a fair and proportionate way to conclude this matter, and is the minimum sanction required to protect the public and the wider public interest.