



Social worker: Sarah Emma Cray

Registration number: SW4232

Fitness to practise Final Order Review Meeting

Meeting Venue: Remote electronic meeting

Date of Meeting: 17 November 2020

Final Order being reviewed:

Conditions of Practice Order - expiring 3 January 2021

Hearing outcome: Removal Order to take effect upon expiry

Introduction and attendees:

1. This is the first review of a final conditions of practice order which was imposed for a period of 3 years by a Fitness to Practice Committee of the Health and Care Professions Council (HCPC) on 6 December 2017.
2. Ms Cray (“the social worker”) did not attend and was not represented
3. Social Work England was represented by Capsticks LLP. Their written submissions are set out within the notice of hearing letter, and have been repeated within the body of this decision.

Adjudicators	Role
Debbie Hill	Chair
Anne Rice	Social Worker Adjudicator
Angela Brown	Lay Adjudicator

Jason Rowbottom	Hearings Officer
Simone Ferris	Hearing Support Officer
Lucia Whittle-Martin	Legal Adviser

Service of Notice:

4. The panel of adjudicators (“the panel”) had careful regard to the documents contained in the substantive order review hearing service bundle as follows:
 - A copy of the notice of substantive order review hearing dated 5 November 2020 and addressed to the social worker at her address as it appears on the Social Work England Register;
 - An extract from the Social Work England Register detailing the social worker’s registered address;
 - A copy of a signed Statement of Service, on behalf of Social Work England, confirming that on 5 November 2020 the writer sent by ordinary first class post and special next day delivery to the social worker at the address referred to above: Notice of Hearing and related documents;

- A copy of the Royal Mail Track and Trace Document indicating “signed for” delivery to the social worker’s registered address at 11:15am on 6 November 2020

5. The panel accepted the advice of the legal adviser in relation to service of notice.
6. Having had regard to all of the information before it in relation to the service of notice, the panel was satisfied that notice of this hearing had been served on the social worker in accordance with Rules 16 and 44.

Proceeding in the absence of the Social Worker

7. The notice of final order review hearing informed the social worker that in line with the current government guidance concerning the COVID-19 virus (Coronavirus) pandemic, the review would take place electronically. The notice stated:

“If you wish to attend the electronic hearing, please confirm your intention by no later than 4pm on 12 November 2020. Unless we hear from you to the contrary, we shall assume that you will not be attending the electronic hearing and Social Work England may, under Rule 16 of the Fitness to Practise Rules, decide to deal with the review as a meeting. If the review is dealt with by way of a meeting the adjudicators will be provided with a copy of this letter setting out our Social Work England’s submissions and a copy of any written submissions you provide.”

8. The panel took into account the Hearing Participation Form which had been signed by the social worker on 6 November 2020. The box ticked by the social worker indicated that she would not be attending the hearing and that she had prepared written submissions to be considered in advance of the review. She also indicated that she understood that in her absence, the review could proceed as a meeting.
9. The panel heard and accepted the advice of the legal adviser with regard to Rule 16(d) of the Rules which provides:

“Where the registered social worker makes written submissions and states that they do not intend to attend before the regulator, the regulator may direct that the question of whether an order should be made is determined by means of a meeting.”
10. The panel was satisfied that it would be fair and appropriate to conduct the review in the form of a meeting in accordance with Rule 16(d).

Review of the current order:

11. This final order review hearing falls under the Transitional and Savings Provisions (Social Workers) Regulations 2019 and as a result the review will be determined in accordance with Part 5 of the Regulations, Schedule 2 paragraph 15 of the Regulations and Social Work England's Fitness to Practise Rules.
12. The current order is due to expire at the end of 3 January 2021.

The allegations found proved which resulted in the imposition of the final order were as follows:

During your employment as a Social Worker with Nottingham City Council:

- 1. In regards to Service User 1, you were allocated the case on 8 June 2015 and you:*
 - a) Facilitated the admittance of the service user to a new care home, but did not complete:*
 - i. An Adult Social Care Assessment;*
 - ii. Risk assessment; and/or*
 - iii. An Adult at Risk Tool.*
 - b) Did not review and/or visit the service user after their original admission.*
 - c) Did not share any or any adequate information about this service user with the new care home.*
 - d) Did not adequately consult with:*
 - i. The service user's Probation Officer;*
 - ii. The Police; and/or*
 - iii. The service user's GP*
- 2. In regards to Service User 2, you were allocated the case on 8 June 2015 and you:*
 - a) Did not record information on Carefirst in a timely and/or appropriate manner.*
 - b) Did not complete a support letter for the housing application in relation to Service User 2.*
 - c) Did not consider and/or convene a multi-agency/professional meeting in regards to this service user.*
 - d) Did not adequately complete appropriate risk assessment for this service user.*
 - e) Did not complete a DASH form for this service user in a timely manner.*
- 3. During 2015, in regards to Service User 3, you:*
 - a) Did not promptly and/or adequately respond to concerns raised in relation to this service user on:*
 - i. 10 March 2015 and/or*
 - ii. 7 April 2015.*
 - b) Did not record information on Carefirst in a timely and/or appropriate manner, including:*
 - i. A meeting on 30 April 2015*
 - ii. Telephone calls regarding new accommodation.*
 - c) Did not adequately consult and/or liaise with the Police regarding a domestic abuse incident that had already been reported by this service user.*

d) Did not adequately liaise with senior management with regards to concerns raised regarding this service user.

e) Did not adequately work in partnership with:

i. The service user;

ii. The service user's carers; and/or

iii. The service user's support worker.

4. The matters described in paragraphs 1-3 constitute misconduct.

5. By reason of your misconduct, your fitness to practise is impaired.

Background

13. At the time of the allegation the social worker was registered with the HCPC, and was employed as a social worker by Nottingham City Council (the Council) in the Safeguarding Team within Adult Social Care.

14. The social worker's permanent employment with the Council began in December 2009 in the Older Persons Community Team. Following a departmental restructure, the Registrant joined the Safeguarding Team in 2012. The Safeguarding Team's role was to receive referrals relating to possible abuse of vulnerable adults. A social worker was assigned to each referral and was responsible for investigating further and, if necessary, commencing a safeguarding intervention.

15. The Council used an electronic case management system for storing records, "Care First", and it was expected that Care First would be updated promptly by social workers to record the actions taken on each service user's case.

16. Service User 1 was referred to the Team on 27 May 2017, in relation to an alleged assault she had suffered, committed by a resident at Studio House, where she was staying on a short term placement. Studio House was an alcohol rehabilitation centre. It was felt that Service User 1 required a higher level of support than was available there. As well as alcohol misuse, Service User 1 was diagnosed with 'Korsakoffs', a form of dementia caused by alcohol misuse or excessive consumption of alcohol.

17. The referral was initially allocated to BO, a social worker within the Team, who carried out the initial gathering of information and assessment of mental capacity. On 3 June 2015, BO went on compassionate leave and Service User A's case was subsequently allocated to the social worker on 8 June 2015.

18. Hatzfield House had been identified as being suitable for Service User 1's needs in the longer term, as it provided care and support for residents to live semi-independently. The social worker completed a care and support plan for semi-independent living and submitted it to a panel of managers for approval. On 4 August 2015, the request was

approved and Service User 1 was admitted to Hatzfield House on a long term basis on 6 August 2015.

19. It was found proved in respect of Service User 1 that the social worker:

- facilitated the admittance of Service User 1 to Hatzfield House, but did not complete an adult care assessment, risk assessments or an Adult at Risk Tool;
- did not review or visit Service User 1 after the original admission;
- did not share any or adequate information about Service User 1 with the new care home; and
- did not adequately consult with Service User 1's Probation Officer, the Police or her GP.

20. Service User 2 and her daughter wanted to find alternative accommodation for Service User 2 so that she could move away from her husband and his alleged abusive behavior. The Care First records for 8 June 2015 documented that Service User 2's daughter was in the process of applying for a council bungalow and needed a supporting letter from the social worker. Entries for 16 June 2015 showed that the daughter had submitted the housing application and that the social worker would provide a supporting letter on her return from annual leave. There were no entries on Care First between 17 June 2015 and 10 August 2015. On 14 October 2015 Service User 2's daughter submitted a letter of complaint about the lack of intervention and assistance received from the social worker.

21. It was found proved in respect of Service User 2 that the social worker:

- did not record information in Care First in a timely or appropriate manner;
- did not complete a supporting letter for the housing application
- did not consider or convene a multi-agency/professional meeting
- did not adequately complete appropriate risk assessments and
- did not complete a DASH (Domestic Abuse, Stalking and Harassment) form in a timely manner

22. Service User 3 had autism and was vulnerable to social and physical abuse and exploitation by others she formed relationships with. Service User 3 was a case originally allocated to the social worker as a 'Deputyship' case, which meant she needed support around the management of her finances. A telephone call was received on 10 March 2015 from Service User 3's support worker at Metropolitan Housing, an agency providing housing for people with mental health needs. Care First records showed that Service User 3 had disclosed to the support worker that her partner, an alcoholic, could get angry and had been both physically and verbally abusive, and that the matter had been referred to the police. On 7 April 2017, there was a further entry in Care First of a telephone call from Service User 3's father, stating that Service User 3 was going to be issued with an eviction notice.

23. It was found proved in respect of Service User 3 that the social worker:

- did not promptly and/or adequately respond to concerns raised on 10 March 2015 and 7 April 2015;
- did not record information on Care First in a timely or appropriate manner in respect of a meeting on 20 April 2015 and telephone calls regarding new accommodation;
- did not adequately consult or liaise with Police regarding a domestic abuse incident;
- did not adequately liaise with senior management with regards to concerns raised regarding Service User 3; and
- did not adequately work in partnership with Service User 3 herself, or her parents or her support worker.

The final hearing panel on 6 December 2017 determined the following with regard to impairment:

24. “The Panel first considered the ‘personal component’

The Panel was of the view that the Registrant had, in the past, placed three vulnerable service users at unwarranted risk of harm. There were indications within the papers that the Registrant had some insight into her failures within her practice. There had been some admissions to her employer during the disciplinary process, and there were her detailed representations provided in October 2017 in which she accepted failings in relation to the three service users, and acknowledged their potential to cause harm to the individual service users. Her representations also indicated that she would seek to act differently in the future. The Panel noted that, at that stage, the Registrant did not fully accept full accountability for her failures which, she had in part attributed to a loss of confidence as a result of a poor appraisal and some missed supervisions.

In the Panel’s view, the Registrant’s key failures had been in respect of safeguarding and risk assessment; not being proactive in her role as a Social Worker, either in sharing information or adequately consulting with professionals and carers involved in the procedures as well record keeping failures. It was of the view that these were fundamental breaches of the social work profession, which is charged with supporting some of the most vulnerable in society. If there were similar failings in the future, then this would be liable to place service users at risk of harm.

The Panel was of the view that each of these key failures was capable of remediation, and the most recent information submitted by the Registrant on 5 December 2017 indicated that she had started to take steps in this regard, including putting strategies in

place in respect of record keeping, and undertaking relevant training. She also indicated a willingness to undertake further remedial action in order to facilitate a future return to practice as a Social Worker.

In her most recent representations, the Registrant had confirmed a future wish to return to work as a Social Worker. She identified that her current role had given her the opportunity, in part, to remedy some of the issues in respect of her practice, in particular in respect of carrying out risk assessments, support plans and referrals. She had also been able to link her current experience in housing matters back to how she had failed in relation to Service Users 2 and 3.

The Panel recognises there is a public interest in retaining the services of an experienced Social Worker. However, the Panel was mindful of the Registrant's position that she had not practised as a Social Worker, in effect, since October 2015. While she had been employed in a relevant social care setting since December 2016, the Panel did not have before it corroborative evidence of the specific training undertaken or courses attended, nor references from her current employers attesting to the standards to which she was now working. In the absence of such evidence, the Panel was unable to assess the extent of the remediation.

In all the circumstances, given the length of time for which the Registrant had not actively practised as a Social Worker and the absence of corroborative evidence to satisfy the Panel that the Registrant now had fully remediated her practice, it could not rule out that there remained a risk of repetition of the failures by the Registrant. Accordingly, the Panel concluded that, in respect of the personal component, her fitness to practise was currently impaired.

The Panel went on to consider the "public component".

The Panel was of the view that the Registrant's failings in respect of the three service users had brought the profession into disrepute, and would have had an adverse impact on her employer's reputation. In light of this, and that the risk of repetition could not be ruled out, the Panel was of the view that the public would expect the Regulator to take action in order to protect members of the public. It therefore concluded that public confidence in the reputation of the profession would be undermined if a finding of impairment were not made in this case. Similarly, the Panel concluded that professional standards would be undermined if it did not make a finding of Impairment. Accordingly, in respect of the 'public component' the Panel concluded that the Registrant's fitness to practise is currently impaired."

The final hearing panel determined the following with regard to sanction:

25. *"The Panel considered the following to be the significant aggravating factors:*

- These were three highly vulnerable service users with complex needs, who were at a time of acute crisis.*

The Panel considered the following to be the significant mitigating factors:

- The Registrant had cooperated with the internal investigation by the employer;*
- The Registrant had made admissions both in the internal investigation and in her representations at the outset of the substantive hearing;*
- The Registrant had demonstrated some insight, albeit she had not demonstrated full accountability for her failures;*
- The Registrant had indicated a willingness to address the issues within her practice; and*
- The Registrant had shown a good level of engagement with this substantive hearing.*

The Panel first considered whether any sanction was necessary. Given the seriousness of the misconduct, the risk of repetition and therefore risk to service users, the Panel did not consider that this was a case where it was appropriate to take no action. The Panel concluded that some form of sanction was necessary to protect the public as well as maintain public confidence in the profession and to declare and uphold proper standards of conduct and behaviour.

Given that the Panel had ruled out that this was an appropriate case for no further action, it concluded that mediation was also not an appropriate outcome in this case.

The Panel did not consider that a Caution Order would meet the criteria as set out in paragraph 28 of the Policy which reads: 'A caution order is an appropriate sanction for cases, where the lapse is isolated, limited or relatively minor in nature, there is a low risk of recurrence, the Registrant has shown insight and taken appropriate remedial action'. Although the Panel considered that the Registrant had shown some insight and had taken some remedial steps and was willing to undertake more, as previously identified, the Panel did not consider that the failings in this case were isolated, limited or minor in nature. It had also not been satisfied at the Impairment stage that there was a low risk of repetition. A Caution Order, therefore, was not appropriate in this case, as it would not serve to protect the public or satisfy the wider public interest.

The Panel next considered a Condition of Practice Order. The Panel noted its earlier finding that the Registrant's failings were capable of remediation. It noted that the Registrant had recognised in her most recent representations that further steps were required on her part before returning to unrestricted work as a Social Worker. The Panel

considered that there were identifiable areas within the Registrant's practice which had the potential to be remediated.

The Panel was of the view that it would be possible to formulate workable conditions which would both protect the public and address the wider public interest. The Panel had regard to paragraph 33 of the Policy which reads: 'Conditions will rarely be effective unless the registrant is genuinely committed to resolving the issues they seek to address and can be trusted to make a determined effort to do so.' The Panel had been impressed by the Registrant's most recent representations, and was reassured that the Registrant would be willing to resolve her failings and willing to abide by conditions.

The Panel considered that the length of the Order should be for three years. This was in recognition that the Registrant was not intending to immediately return to practice as a Social Worker, but had expressed a wish to return in the future. The Panel acknowledged there a public interest in allowing an experienced Social Worker to return to the social work profession. The Panel considered that the length of the Order would allow the Registrant the time and the opportunity to return to practice at a time when this was appropriate to her, and once she had returned, to achieve full remediation and fully developed insight. The Panel noted that, in any event, the Registrant had the ongoing obligation in respect of her registration to ensure that she kept her skills and knowledge up to date through maintaining a portfolio of her continuing professional development. Further, the Panel would remind the Registrant she has a right to ask for an early review of the Order if she feels it has achieved its purpose within the 3 year period".

26. The substantive Panel then imposed the following conditions of practice:

1. You must work with a supervisor, registered with the HCPC as a Social Worker, to formulate a Personal Development Plan to address the following areas of your practice:

- A. The quality and timeliness of your record keeping;*
- B. Undertaking assessment of need in respect of individual service users to the required standards.*
- C. Undertaking assessments of risk in respect of individual service users to the required standard;*
- D. Working in partnership with service users, carers and other relevant parties; and*
- E. Understanding when it is necessary to seek advice from a line manager or senior practitioner.*

2. Within 2 months of gaining employment as a Social Worker, you must forward a copy of the Personal Development Plan to the HCPC.

3. You must meet with your supervisor on a fortnightly basis for the first three months of your employment as a Social Worker. If your supervisor deems satisfactory progress has been made in relation to your Personal Development Plan, this may, after three months and at the discretion of your supervisor, reduce to monthly supervision.

- 4. You must allow your supervisor to provide information to the HCPC about your progress towards achieving the aims set out in your Personal Development Plan.*
- 5. You must complete a reflective practice profile in respect of the first three occasions where you have been involved in safeguarding issues as a Social Worker and discuss this with your supervisor.*
- 6. You must promptly inform the HCPC if you take up employment as a Social Worker and provide details of that employment.*
- 7. You must promptly inform the HCPC of any disciplinary proceedings taken against you by your employer.*
- 8. You must inform the following parties that your registration is subject to these conditions:*
 - A. Any organisation or person employing or contracting with you to undertake Social Work;*
 - B. Any agency you are registered with or apply to be registered with (at the time of application) for employment as a Social Worker and;*
 - C. Any prospective employer (at the time of your application) where you apply for work as a Social Worker.*

Social Work England submissions:

27. It was submitted on behalf of Social Work England that no evidence had been provided since the substantive hearing which would allow a panel to conclude that the social worker has developed insight and has successfully remediated. Social Work England submitted that the social worker's fitness to practise remains impaired and that she cannot safely return to unrestricted practice.
28. It was submitted that the social worker had not practised as a social worker for approximately 5 years and there is no evidence of her undertaking any CPD activities to keep her skills and knowledge up to date during that period. It was argued that without knowing the extent to which the social worker has kept her skills and knowledge up to date, it is not possible to formulate workable conditions which would support her safe return to practice. It was submitted that it would not be in the public interest to impose conditions where the social worker has not practised for a significant period and has no current plans to return to social work. It was further submitted that a Suspension Order in circumstances where the social worker has no intention to return to practice in the near future would be likely to result in (further) deskilling and would not be appropriate in the circumstances.
29. In those circumstances it was submitted by Social Work England that a Removal Order is necessary for the protection of the public and in the wider public interest.

Social Worker submissions:

30. The Social Worker supplied the following written submissions:

“For the past 3 years since my condition of practice order was introduced I have continued to work as a support worker for a housing charity. There have been no concerns regarding the standard of my work during this time and I have undergone relevant training to my current role including on safeguarding and domestic abuse.

As I have not been working in a statutory social work role it has not been possible to fully meet the requirements of my conditions of practice order but I have worked hard during this time to ensure that my work is of a good standard and learn from the previous mistakes made.

....Social Work England have alleged a lack of insight into previous mistakes and no evidence of improvement but they have not seen any of my actual work to base this judgement on and I reject this allegation. I have only not provided further evidence due to having no plans to return to social work in the foreseeable future and wanting to focus on my current job and grow and to move on from an unhappy time in my life. I have spent many hours reflecting on the previous mistakes made and ensuring that improvements have been put in place while also needing to put this period in my life behind me for my own mental health and well-being.

My current role includes needing to keep up-to-date and accurate records and as a team we have a yearly audit to monitor this. I have also had to complete many risk assessments for tenants and have spent considerable time updating these for all the tenants I am supporting with regards to the coronavirus this year. It has also involved completing incident and safeguarding reports for management where there have been any relevant concerns for our tenants so appropriate action and reporting could be taken. There has been regular monthly supervision with my line manager to monitor my work as well as ongoing work discussions in between where needed and no concerns or complaints have been made regarding my work and I have not been subject to any concerns/ improvement or disciplinary procedures during this time and have been asked to consider taking on an advisory role for a possible new location which I believe demonstrates confidence in the quality of my work. So while the lack of statutory social work role has made it not possible to fully comply and evidence meeting my condition of practice requirements I would argue that I have been working to meet them as far as I can in my current role. I would ask that this is taken into consideration should I reapply to the register in the future and would be happy to provide further evidence at that time.

As has been noted I have now not practised social work for five years and as I have no plans to return to social work in the foreseeable future being happy in my current role I volunteer to come off the register.

However I would like it to be noted that I have continued in relevant work, while not statutory social work and have had no further concerns regarding my work during this time and I believe that I have shown insight and learned from the mistakes previously made and would like this to be taken into consideration should I re-apply to join the register in the future. I understand that this would be subject to any restrictions or further training that Social Work England deem necessary."

Panel decision and reasons on current impairment:

31. In considering the issue of current impairment, the panel undertook a comprehensive review of the final order in light of the current circumstances. The panel took account of all the material before it, including the decision of the substantive panel and the submissions made by the parties. The panel understood that it is not bound by the conclusions reached by the previous panel. However it agreed with the aggravating and mitigating features which had been identified.
32. The panel accepted the advice of the legal adviser.
33. The panel first considered whether the social worker's fitness to practise remains impaired.
34. The panel took account of the social worker's written submissions, in which she asserts that she has learned from her previous mistakes and has developed insight into her past misconduct. She accepts that she has not met the requirements of her conditions of practice order. She argues that this is because she has been working in a non-statutory role and has no plans to return to social work in the foreseeable future. She provided no objective evidence of remediation or insight for the panel.
35. In those circumstances, whilst the panel took account of the social worker's assurance that she has reflected and has learnt from her mistakes and has developed insight, it could not be satisfied that she has in fact remediated her past misconduct. The social worker has not provided any references or testimonials to support her submission that her current role demands many of the skills required of statutory work as a social worker. Nor has she provided any evidence of education or training courses, or detailed reflection on her part. She has had some three years in which to achieve this. Furthermore, by opting to provide written submissions, rather than attending orally, she has chosen to deny herself the opportunity of providing additional evidence of remediation and insight through panel questioning.
36. In those circumstances the social worker has not provided sufficient material to satisfy the panel that she has fully remediated her past misconduct, or developed sufficient insight. The panel therefore concluded that the risk that she will repeat her past

misconduct remains, and her fitness to practise remains impaired on public protection grounds.

37. The panel also concluded that in light of the social worker's past misconduct, her lack of compliance with her conditions of practice, and the absence of adequate evidence of insight and remediation, the need to uphold proper standards, and to maintain public confidence in the profession, would be undermined if a finding of impairment were not made. Accordingly the panel concluded that the social worker's fitness to practise also remains impaired on public interest grounds.

Decision and reasons on sanction:

38. Having found that the social worker's fitness to practise remains impaired, the panel considered what, if any, sanction to impose in this case. The panel had regard to all the documentation before it and accepted the advice of the legal adviser. The panel also took into account the Sanctions Guidance published by Social Work England.
39. The panel was mindful that the purpose of sanction is not to punish the social worker, but is to protect the public and the wider public interest. The public interest includes maintaining public confidence in the profession and Social Work England as its regulator and upholding proper standards of conduct and behaviour. The panel applied the principle of proportionality by weighing the social worker's interests with the public interest and by considering each available sanction in ascending order of severity.

No Action

40. The panel concluded that, in view of the nature and seriousness of the past misconduct, and the lack of independent evidence of insight and remediation, there were no exceptional reasons to merit taking no action.

Advice or Warning

41. The panel concluded that the issuing of advice or a warning would not restrict the social worker's ability to practise, and would be inappropriate in light of the risk currently presented by the social worker, as set out by the panel in its decision on impairment.

Conditions of Practice Order

42. The panel concluded that a conditions of practice order was inappropriate and unworkable in light of the fact that the social worker has been the subject to such an order for the past three years and has failed to abide by it.

Suspension Order

43. The panel accepted that a suspension order would protect the public and the wider public interest; however this would only be in the short term. The panel was of the view that a short period of suspension would be inappropriate in light of the seriousness of

the past misconduct, and the lack of independent evidence of insight and remediation in this instance. As set out in the Sanctions Guidance, the panel accepted that it may be appropriate to impose a longer period of suspension where there is no reasonable prospect of the social worker regaining fitness to practise in the short term because the social worker does not intend to remediate or practice in the short term, but wishes to do so in due course. However in the current circumstances the social worker has stated that she had no plans to return to social work in the foreseeable future. The panel also took into account the risk of deskilling if the social worker is given a longer period of suspension. For those reasons the panel concluded that a period of suspension is not appropriate in the current instance.

Removal Order

44. In those circumstances the panel had no option but to impose a removal order . The panel understood that this is the sanction of last resort where there is no other means of protecting the public and the wider public interest. However it was the judgement of the panel that any lesser sanction would be inappropriate in light of the seriousness of the past misconduct and the lack of evidence of remediation and insight, as explained in the body of this decision.

Right of Appeal:

45. Under paragraph 16 (1) (b) of schedule 2, part 5 of the Social Workers Regulations 2018, the Social Worker may appeal to the High Court against:
- a. the decision of adjudicators:
 - i. to make an interim order, other than an interim order made at the same time as a final order under paragraph 11(1)(b),
 - ii. not to revoke or vary such an order,
 - iii. to make a final order,
 - b. the decision of the regulator on review of an interim order, or a final order, other than a decision to revoke the order
46. Under regulation 16 (2) schedule 2, part 5 of the Social Workers Regulations 2018 an appeal must be made within 28 days of the day on which the social worker is notified of the decision complained of.
47. Under regulation 9(4), part 3 (Registration of social workers) of the Social Workers Regulations 2018, this order can only be recorded on the register 28 days after the

Social Worker was informed of the decision or, if the social worker appeals within 28 days, when that appeal is exhausted.

This notice is served in accordance with rules 44 and 45 of the Social Work England Fitness to Practice Rules 2019.

Review of final orders

48. Under regulation 15 (2) and 15 (3) of schedule 2, part 4 of the Social Workers Regulations 2018:

- 15 (2) – The regulator may review a final order where new evidence relevant to the order has become available after the making of the order, or when requested to do so by the social worker.
- 15 (3) A request by the social worker under sub-paragraph (2) must be made within such period as the regulator determines in rules made under regulation 25(5), and a final order does not have effect until after the expiry of that period

49. Under rule 16 (aa) of Social Work England’s fitness to practise rules, a registered social worker requesting a review of a final order under paragraph 15 of Schedule 2 must make the request within 28 days of the day on which they are notified of the order.

European alert mechanism

50. In accordance with Regulation 67 of the European Union (Recognition of Professional Qualifications) Regulations 2015, Social Work England will inform the competent authorities in all other EEA States that the social worker’s right to practise has been prohibited or restricted.

51. The social worker may appeal to the County Court against Social Work England’s decision to do so. Any appeal must be made within 28 days of the date when this notice is served on the social worker. This right of appeal is separate from the social worker’s right to appeal against the decision and order of the panel.