

Social worker: Verona V Thomas
Registration number: SW83020
Fitness to practise: Final hearing

Date(s) of hearing: Wednesday 5 May 2021 – Tuesday 11 May 2021

Hearing Venue: Social Work England, Remote hearing

Hearing outcome: Removal order

Interim order: Interim suspension order (18 months)

Introduction and attendees

1. This is a hearing of the Fitness to Practise Committee held under Part 5 of The Social Workers Regulations 2018.
2. Ms Thomas (hereafter ‘the social worker’) did not attend and was not represented.
3. Mr Adrian Harris, appearing on behalf of Capsticks LLP, represented Social Work England.

Adjudicators	Role
Name: Jacqueline Nicholson	Chair
Name: Sabraj Akhtar	Social Worker Adjudicator
Name: Sandra Norburn	Lay Person Adjudicator

Name: Jenna Keats	Hearings Officer
Name: Paige Higgins	Hearing Support Officer
Name: Francesca Keen	Legal Adviser

Service of Notice:

4. The Panel of Adjudicators (hereafter ‘the panel’) was provided with three bundles of documents, in addition to Social Work England’s statement of case. The bundles were as follows: i) witness statement bundle; ii) exhibit bundle; and iii) service & supplementary bundle.
5. Mr Harris, on behalf of Social Work England made submission to the panel that service of the Notice had been effected.

6. The panel noted that, contained within the service and supplementary bundle, the Notice of Hearing (hereafter 'the Notice') was sent on 01 April 2021, by Ms Smith a paralegal at Capsticks Solicitors, to the social worker by Royal Mail next-day special delivery to her registered address held by Social Work England. Ms Smith also confirmed, in her statement of service, that the Notice was issued by email, to an email address, for the social worker, held by Social Work England. Additionally, the Panel also noted that acknowledgement of the Notice was recorded between Ms Smith and the social worker, on 19 April 2021, in the form of 'Telephone Attendance Note' (hereafter 'the TAN'). In the TAN to Ms Thomas confirmed that she was aware of the hearing, that she would not be attending and that she did not intend to provide any evidence of submissions for it.
7. The panel accepted the advice of the Legal Adviser in relation to service of notice.
8. Having had regard to rules 14, 44 and 45 of the Fitness to Practise Rules 2019 (hereafter 'the Rules') and all of the information before it in relation to the service of the Notice, the panel was satisfied that Ms Thomas had been given proper notice of the hearing.

Proceeding in the absence of the social worker:

9. Mr Harris made an application to proceed in the social worker's absence.
10. The panel received advice from the Legal Adviser as to its power under rule 43 of the Rules to proceed with the hearing in the absence of the social worker.
11. The panel was satisfied that Ms Thomas had been informed of the date, time and venue of the hearing, in the Notice dated 01 April 2021, and had been given an opportunity to attend the hearing. The panel determined that it was reasonable and in the public interest to proceed with the hearing for the following reasons:
 - i. the panel noted that in the TAN, dated 19 April 2021, the social worker advised Ms Smith that she was aware of the hearing and would not be attending. Further, she informed Ms Smith that she would not be providing any evidence or written submissions ahead of the hearing date;

- ii. there has been no application to adjourn and no indication from the social worker that she would be willing to attend on an alternative date and therefore relisting this substantive hearing would serve no useful purpose;
- iii. Social Work England requested engagement from Ms Thomas on a number of occasions and the social worker had failed to respond;
- iv. in light of the social workers continuing non-engagement and the contents of the TAN, the panel was satisfied that it was reasonable to conclude that the social worker's non-attendance was voluntary and therefore a deliberate waiver of her right to attend and participate in person;
- v. the panel recognised that whilst there may be a disadvantage to Ms Thomas not being present to challenge the evidence or to make oral submissions, the panel was of the view that any disadvantage was outweighed by the public interest in proceeding to hear the case and Ms Thomas had been provided with every opportunity to engage and had failed to do so; and
- vi. Social Work England had four witnesses ready and willing to give evidence and in considering whether to proceed in absence, the panel had regard to the inconvenience that might be caused to those witnesses should it adjourn the proceedings to an alternative date.

12. Taking all of these factors into account, the panel concluded that it was appropriate to proceed with the hearing in the absence of the social worker.

Allegation (as amended):

Whilst registered as a Social Worker with the Health and Care Professions Council:

- 1. On or around 11 March 2017 whilst employed by Key2, you informed Colleague A that you could not continue your on call duties due to a medical emergency with your son when this was not the case.*
- 2. On or around 21 March 2017 whilst employed by Key2, you left private and confidential paperwork at the property of a Service User.*
- 3. On or around 13 November 2017, you completed and submitted an inaccurate application form for a job at North Somerset Council when you omitted your employment at Key2 from the form.*
- 4. Your conduct in paragraph 1 and 3 was dishonest.*
- 5. The matters set out in paragraphs 1-4 constitute misconduct.*
- 6. By reason of your misconduct your fitness to practise is impaired.*

Preliminary matters

13. At the outset of the hearing Mr Harris made an application to amend the Allegation. He informed the panel that Ms Thomas had been put on notice of the proposed amendments on 01 April 2021.
14. The proposed amendments were as follows:
 - i. Stem – deletion of the word ‘you’;
 - ii. Particular 1 – insertion of the word ‘you’; and
 - iii. Particular 3 – insertion of the words ‘On or around 13 November 2017, you’ and ‘and submitted’.

15. The panel accepted the advice of the Legal Adviser and carefully considered Social Work England's application to amend the Particulars. The panel concluded, after reviewing each of the proposed amendments, that it would agree to the Particulars being amended for the following reasons:
- i. Ms Thomas had been provided with sufficient notice of Social Work England's intention to amend the Allegation, having been put on notice on 01 April 2021, more than 28 days before the commencement of the Substantive Hearing;
 - ii. Ms Thomas had not provided any objection to the proposed amendments;
 - iii. the panel noted that the proposed amendments did not seek to widen the scope of the Allegation. The proposed amendments were to provide further clarification of the Allegation.
16. The panel therefore concluded that the proposed amendments to the Allegation did not heighten the seriousness of the Allegation and therefore there was no likelihood of injustice to the social worker.

Application to conduct parts of the hearing in private:

17. Mr Harris invited the panel to conduct parts of the hearing in private. He submitted that conducting parts of the hearing in private would protect both the social worker's and her son's right to a private life.
18. The panel accepted the Legal Adviser's advice and had regard to the documents provided to it and to Mr Harris' submissions.
19. The panel carefully considered the public interest grounds in the case being heard in public. However, the panel was satisfied, given the information before it regarding evidence allegedly pertaining to Ms Thomas and her son's private life, that there was a need to protect Ms Thomas and her son. Consequently, the panel ordered that the parts of the hearing pertaining to the social worker's and her son's private life, be conducted in private.

Application to adduce evidence into proceedings:

20. Mr Harris made an application to adduce evidence relating to the social worker's dismissal from Key2 into evidence. In his submissions to the panel Mr Harris stated that whilst he accepted that the outcome of employment proceedings would not ordinarily be placed before a regulatory panel, in this case the evidence relating to the social worker's dismissal from her previous employment was critical to Social Work England's case presentation in respect of Particulars 3 and 4.
21. He also submitted that Ms Thomas had been afforded with sight of all of the evidence relied upon by Social Work England, contained within the hearing bundles, and that she had also been provided with opportunities to challenge the evidence, and that she had chosen not to do so.
22. The panel accepted the Legal Adviser's advice which had drawn its attention to the case of *Enemuwe v Nursing and Midwifery Council (NMC) [2015] EWHC 2081 (Admin)* and in particular Justice Holman's comment that "*normally the findings of fact made at some earlier investigation by another panel or another person are not admissible in proceedings before this committee.*"
23. The panel carefully considered Mr Harris' application.
24. The panel determined that it would admit the evidence of the social worker's dismissal from her employment at Key2 into evidence. The panel accepted Mr Harris' submission that Ms Thomas had been provided with an opportunity to challenge the evidence relied upon by Social Work England and that she had chosen not to do so. Further, the panel also considered that the social worker's dismissal from her employment at Key2 was a consideration for it when determining Particular 4, in respect of dishonesty, should it find Particular 3 proved.
25. Whilst the panel accepted that this type of evidence would usually to be excluded from proceedings, for the reasons outlined within the *Enemuwe* case, in the individual circumstances of this case, the panel was satisfied that the evidence was pertinent to its considerations in respect of Particular 4 and determined that it was in the interests of justice to admit the evidence. The panel considered that as an experienced panel it could differentiate between the findings of another body and any facts to be considered in this case. Further, in forming that view, the panel considered that it could determine what

weight, if any, to place upon the evidence as part of its wider considerations of the facts in this case.

Background

26. On 9 February 2018, the Health and Care Professions Council (HCPC) received a referral regarding the social worker, Verona Thomas. The referral was made by North Somerset Council (hereafter 'the Council').
27. Ms Thomas qualified in July 2003 and has been a registered social worker since then.
28. Ms Thomas worked for Key2 as a support worker with Bristol City Council (hereafter 'BCC') from November 2016 until March 2017. It is alleged that while working in this role in March 2017, she deceived a team manager by falsely stating she could not continue her weekend on-call duties due to a medical emergency with her son in Bristol, when in fact she was in London. It is further alleged that a few days later she left private and confidential paperwork at the property of a service user.
29. Following her dismissal from her Key2 position, it is alleged that in November 2017, she made a job application to the Council in which she omitted reference to her employment with Key2 in order to conceal her dismissal and its background. It was alleged that she was aware of the effect of, and therefore the need to, conceal her dismissal from Key2. She had a previous offer of employment withdrawn by the Council, during a first job application in March 2017 to the Council, when a reference was taken from Key2. In that reference Key2 disclosed she had been dismissed for gross misconduct and Key2 raised further safeguarding concerns.

Summary of Evidence

30. Social Work England relied upon the oral evidence of four witnesses who were called to give evidence:
 - i. AH: support worker at Key2;
 - ii. BWJ: Team Manager for the Gloucester branch of Key2;
 - iii. CD: Area Operations Manager for Key2; and
 - iv. KM: Senior Human Resources Advisor at the Council.

31. Further, Social Work England also relied upon the following:

- i. Exhibits bundle – 107 pages; and
- ii. Service and additional documents bundle – 29 pages.

Assessment of Witnesses:

The accounts below are provided as a summary of each of the witnesses' evidence to the panel and are not a verbatim account of the evidence provided by each witness.

BWJ: Team Manager for the Gloucester branch of Key2:

- 32. Witness BWJ told the panel that she was currently employed as a Team Manager for the Gloucester branch of Key2 and that she has held this role for approximately eight years. She also told the panel that she is not a registered social worker. BWJ informed the panel that her role requires her to oversee the Gloucester Project ('the project') and work closely with local authorities to assist and support independent living for 16 to 25 year olds. She told the panel that she oversees a team of two full time employees and two part-time employees.
- 33. She informed the panel that there are five branches of Key2 'the west area': Bristol, Gloucester, Wiltshire, Swindon and Somerset and that all of the team managers are rostered over a seven day period to take emergency calls from staff 'on call' and to give them advice and guidance should they require it. BWJ told the panel that the 'on call' manager covers the west area over a period of 7 days and 7 nights, usually from Friday 5pm to the following Friday at 9am.
- 34. BWJ gave evidence to the panel that Ms Thomas was a support worker for the Bristol branch of Key2 and that as a support worker, she was expected to answer emergency calls and to attend to, assist and support service users if necessary. BWJ told the panel that she did not work directly with the social worker.
- 35. BWJ stated that on 11 March 2017 she was the Team Manager 'on call' and the Ms Thomas was also the 'on call' member of staff for the Bristol area. At 11.41am BWJ informed the panel that she received a missed telephone call from the social worker,

which was shortly followed by a voicemail message. BWJ stated that she rang the Ms Thomas straight back, about a minute later and could not get through to her. Ms Thomas subsequently rang BWJ back and informed her that she had left a voicemail message for her.

36. BWJ told the panel that during her telephone conversation with the social worker, the Ms Thomas informed her that she had an emergency, as her child had been rushed to hospital and she could no longer perform with the 'on call' role for Bristol that day. BWJ also informed the panel that Ms Thomas also told her that there had been a report of an incident with Service User 1 on the project and BWJ stated that she asked for further information in respect of the incident. In response, Ms Thomas informed her that Service User 1 had been involved in an argument, with her boyfriend, outside of her property. There was a history of domestic violence.
37. BWJ told the panel that she enquired with Ms Thomas as to whether she had notified the police and Ms Thomas indicated to her that she had not. BWJ informed the panel that she instructed Ms Thomas to make contact with the police so that a welfare check could be made by the police, on Service User 1. BWJ stated that Ms Thomas had informed her, during the same telephone conversation, that there was a police red flag against the property, meaning that the police would respond, within set time parameters, to carry out a welfare check.
38. BWJ gave evidence to the panel that she asked Ms Thomas what was wrong with her son and Ms Thomas stated that he had not been well for a few days [PRIVATE]. BWJ said that from her recollection Ms Thomas said that her son [PRIVATE] was at the hospital with her son she would not be able to take any more 'on call' telephone calls. BWJ told the panel that Ms Thomas had informed her that she had come outside of the hospital to make the telephone call to her.
39. BWJ informed the panel that she again asked Ms Thomas to make the telephone call to the police, alerting them to Service User 1's situation and Ms Thomas confirmed that she would. BWJ also told the panel that she asked Ms Thomas to transfer the 'on call' telephone number to the Gloucester team and Ms Thomas had informed her that she did not know how to do that.

40. BWJ stated that approximately 20 minutes later Ms Thomas telephoned her again and informed her that she had contacted the police reporting the incident with Service User 1 and requesting that a welfare check be made and restated that she could not take any more calls. BWJ told Ms Thomas that she would try to contact CB, the area operations manager, to have the 'on call' telephone calls transferred to another member of the team. Ms Thomas then informed BWJ that she had tried to make contact with RM, the project manager for Bristol, ML, Area Operations Manager and CB to inform them of her situation and that she could not transfer the telephone calls, but none of them were answering their telephones. BWJ stated that she informed Ms Thomas that she would get back to her once she had contacted senior management because the Bristol area could not be left without cover for the weekend.
41. BWJ told the panel that she made a number of telephone calls to various managers for Key2 and the 'on call' telephone number was subsequently transferred to another member of staff so that cover for the 'on call' could be provided.
42. Following this, BWJ stated that she sent Ms Thomas a text message to ask whether she had received the voicemail message that she had left for her. Ms Thomas text back and confirmed that she had received her voicemail message and that she had not received any further calls from service users requiring help, during the period of time it had taken to transfer the 'on call' telephone number to the other member of staff.
43. BWJ stated that around 2.30pm that afternoon she listened to the voicemail message left by Ms Thomas and in it, Ms Thomas stated that her son was rushed to Bristol Children's Hospital and she could not pick up the 'on call' telephone calls because of this.
44. BWJ told the panel that later that day, at 8.07pm, she sent an email to senior managers outlining what had happened, the timeline of events and the steps that she had taken. BWJ exhibited her email before the panel. BWJ stated that she was not asked anything further about this matter and was not involved in the disciplinary meeting.
45. The panel found BWJ to be a helpful witness. The panel was of the view that BWJ did her best to give an accurate account of what had happened on 11 March 2017 but found that there were some gaps in her recollection. The panel noted that BWJ gave

compelling evidence in respect of what should happen when a call is transferred from one 'on call' team member to another however, when questioned she was less certain in her evidence about what actually did happen on the day in question. Further, the panel also detected that BWJ was somewhat disgruntled by the social worker's actions in not making contact with her first, as she was the 'on call' manager that weekend, when Ms Thomas was unable to fulfill her 'on call' duties.

AH: support worker at Key2:

46. AH informed the panel that at the time of the incident that she was employed as a Support Worker at Key2 and that Key2 had employed her for around two years and that she left Key2's employment in May 2017.
47. AH told the panel that in her role as a Support Worker she was responsible for supporting care leavers with tasks such as managing accommodation, daily living skills, budgeting, managing their health and looking for employment and benefits.
48. AH informed the panel that Ms Thomas was employed as a Support Worker at Key2 during the same period in which she was also employed and that when Ms Thomas had first started working for Key2, that she had shadowed her on some visits as part of her induction process.
49. AH told the panel that on 21 March 2017 she was out with '*a service user*' (Service User 1) and was made aware that Ms Thomas had visited her to provide support and that she had left some paperwork behind at the service user's flat. AH told the panel that she was the service user's main support worker but other support workers in the team also provided support and care to her.
50. AH told the panel that she asked Service User 1 what she had meant by her comment that paperwork had been left and Service User 1 stated that Ms Thomas had left paperwork and notes on her dining room table. AH told the panel that she did not ask Service User 1 what was contained in the paperwork or for any further information but that she told Service User 1 that she would go back to her property that afternoon to collect the paperwork. AH stated that she prioritised collecting the paperwork as it was

a serious incident and she did not know what information the paperwork contained at the time.

51. AH informed the panel that she went back to Service User 1's flat that afternoon to collect the paperwork. When she did so, she realised that the paperwork related to confidential information about different service users that Key2 were supporting. AH gave evidence to the panel that she did not look through the paperwork and that she could not recall the names of the different service users but she was sure the documents contained the names of service users and other identifying factors such as dates of birth and addresses. AH told the panel that there were handwritten notes but that she was unsure as to what information was contained on the notes, as she did not go through them.
52. AH told the panel that she collected the paperwork and she did not seek to ask Service User 1 anything about when it had been left at her property, or whether she had seen the information, as she did not want to make Service User 1 uncomfortable. AH informed the panel that she placed the information into her laptop bag and took the paperwork back to the office. AH stated that when she returned to the office, with the paperwork, she informed RM and CB (both managers at Key2), of what had happened and followed up her conversation with RM, in an email, which she exhibited before the panel.
53. AH told the panel that following this incident she was not contacted again about this matter and did not have any involvement in the investigation or disciplinary process.
54. AH told the panel that as far as she could recall, at the time the Key2 policy was that confidential papers should not be removed from the office and that should paperwork need to be utilised with a service user during an appointment it should be redacted and/or all personal information removed from it. However, AH stated that a number of documents were carried by support workers such as notepads and documents, which were tools used with service users.
55. The panel found AH to be a helpful and honest witness who did her best to provide an accurate account, notwithstanding the significant passage of time since events had

occurred. She provided clear evidence to the panel in respect of the social worker's induction to the team at Key2, and to the steps that she personally took when she discovered the alleged data breach. She also provided the panel with clear evidence regarding her interaction with CD, further to the paperwork being brought back to the office.

CD: Area Operations Manager for Key2;

56. CD told the panel that she is currently employed as the Deputy Head of Operations of Key2 and that she has held this role for 18 months. However, at the time of the incident, she was employed as the Area Operations Manager for Key2, a role she commenced in 2017. Prior to this she was the Team Manager, for Key2, for Bristol and she was responsible for managing the team managers in the west area.
57. CD stated that Ms Thomas was employed as a Support Worker in the Bristol team, and that she had held the position for around four or five months from November 2016. CD told the panel that Ms Thomas was responsible for leading work for between four to five young people and working as part of the rota to visit all young people in the project. CD stated that she was also responsible for carrying out health and safety checks on properties, ensuring there was no damage to the property and that the young people were booking in support sessions with the support workers. Additionally, CD stated that there was an 'on call' aspect to the social worker's role. CD confirmed the evidence provided by BWJ, that the office landline would be diverted to the 'on call' telephone number from 5pm on a Friday evening for a period of seven days at a time, including the weekend.
58. CD told the panel that on the weekend commencing 10 March 2017, Ms Thomas was the 'on call' staff member for Bristol and that BWJ was the back-up manager providing her with support.
59. CD informed the panel that around 12.30pm to 1pm BWJ telephoned her for advice, further to a telephone call that BWJ had received from the social worker. CD stated that BWJ had told her that Ms Thomas had informed BWJ that she could no longer continue with her 'on call' duties as her son was in Bristol hospital and that Ms Thomas did not know how to transfer the calls to another member of the team. CD stated that BWJ also

told her, during the same telephone conversation, that Ms Thomas had told BWJ that she had received a telephone call from Service User 1 regarding an incident. CD stated that BWJ relayed her instructions to Ms Thomas that she should make contact with the police.

60. CD told the panel that on the following Monday or Tuesday, she spoke with RM, who was the Bristol Team Manager at the time and that she also spoke to Ms Thomas to ascertain what had happened. CD told the panel that Ms Thomas confirmed that her son had been admitted to hospital and for this reason she had been unable to continue with the 'on call'.
61. CD gave evidence that on the same date she spoke to RM and confirmed that a visit had been made by the Police, to Service User 1 and that she and RM had wanted an update from the Police in respect of that visit. CD told the panel that RM telephoned Avon and Somerset Police who, in turn, said that there had been a delay in visiting the young person as the initial call had gone to the Metropolitan Police and that it had taken eight hours for the information to be passed on to Avon and Somerset Police. CD stated that RM relayed this information to her.
62. CD told the panel that the information relayed to her by RM from the police suggested that the initial call made to the police, by the social worker, had been to the 101 service. CD told the panel that the 101 service always goes through to the nearest police station and it was therefore clear to her on the basis of the information provided to her that Ms Thomas had been in the Metropolitan area and not within the Avon and Somerset Police area. CD told the panel that this was concerning because Ms Thomas had stated that she was at Bristol hospital.
63. CD stated that after ascertaining this information from the Police she took advice from her manager and Key2's HR department. As there had also been a data breach concern raised (outlined below), the decision was taken to follow the disciplinary procedure in respect of both incidents.
64. CD told the panel that around the same time, she was unsure of the date, she was made aware of a data breach in which Ms Thomas had left confidential paperwork at the

property of Service User 1. CD informed the panel that Key2's policy was that no documentation should be taken out of the office and that any printed information should be shredded after printing.

65. CD gave oral evidence to the panel that she was informed by AH that Service User 1 had informed AH that Ms Thomas had left confidential paperwork at her home address. CD also told the panel, during her oral evidence, that when AH returned to the office with the paperwork, she looked through the documentation and confirmed that it did contain confidential material. She also told the panel that each service user has a rota sheet which outlines who has been to see them and when and that she checked the rota sheet to ascertain who the last Support Worker was to visit Service User 1 and that it had been Ms Thomas on the day prior to AH collecting the information from Service User 1's property.
66. CD told the panel that after consulting with her manager and HR she conducted an investigation into the social worker's conduct. She told the panel during her oral evidence that it was her first investigation, as a newly appointed manager. She also told the panel that she spoke with the social worker, and BWJ and AH to ascertain their version of events. CD also gave oral evidence to the panel that, between 13 – 17 March 2017, she conducted an investigation meeting with Ms Thomas where she discussed the 'on call' incident and the data breach incident and she also confirmed that she had taken notes throughout her investigation. CD told the panel that during the investigation meeting with the social worker, Ms Thomas confirmed her story that she had been at the hospital with her son and that this was the reason for not being able to continue with the 'on call' duties. CD told the panel that she also discussed the data protection incident at the meeting with Ms Thomas she did not provide much of a response to her questions but had provided an apology.
67. CD told the panel that on the basis of the information obtained during the investigation meeting, she, in conjunction with her manager and HR, decided to move forward to a Disciplinary Hearing. CD told the panel that a Disciplinary Hearing letter, inviting Ms Thomas to attend a meeting on the 28 March 2017, was sent to Ms Thomas on the 27 March by email and by way of Royal Mail next-day recorded delivery. Ms Thomas was

invited to confirm, by 5pm on 27 March 2017, whether she wished to attend the meeting or not and that the meeting would proceed without her if she did not attend. CD provided the panel with a copy of this letter.

68. CD gave evidence to the panel that the social worker, and her friend, attended the meeting on 28 March 2017 and that she and RM were also present. CD told the panel that the Disciplinary Hearing provided Ms Thomas with a further opportunity to provide any evidence or mitigating circumstances. CD told the panel that she informed the social worker, during the meeting, that she had evidence, from the Police, to suggest that she was not in Bristol, but was in London, at the time she made the call to 101. CD told the panel that in response to this information Ms Thomas provided a different explanation as to why she had been unable to perform her 'on call' duties. [PRIVATE]. CD stated that Ms Thomas did not provide any other information about this during the course of the meeting. CD stated that RM had taken a note of the meeting discussions and an exhibited copy of the purported notes from that meeting was provided to the panel.
69. CD stated that following the meeting she spoke with HR and because Ms Thomas was still within her probationary period of employment for Key2, the decision was taken to dismiss her on the grounds of gross misconduct. CD exhibited a copy of the letter to the social worker, detailing the outcome of the disciplinary meeting, dated 31 March 2017.
70. The panel considered that whilst CD had done her best to assist the panel with the answers she provided to questions posed, she was not an entirely reliable witness in the evidence that she had provided. For example, CD told the panel that during her investigation of the social worker's conduct, which she stated had occurred between 13-17 March 2017, she had asked Ms Thomas to account for the reasons for the alleged data breach. However, the panel noted that the Allegation before it, and the evidence from other witnesses, was that the data breach had allegedly occurred on or around the 21 March 2017, after CD's investigation meeting allegedly took place. Further, the panel noted that CD gave conflicting evidence to that of AH, in respect of how AH became aware of the paperwork being left at Service User 1's property. Further, CD also told the panel that she had spoken to AH and BWJ and taken detailed notes, and statements, throughout her disciplinary investigation. Both AH and BWJ had stated to the panel that

they had not been asked anything further about the incidents and the panel was concerned that contemporaneous statements and notes had not been provided to it. Additionally, CD also made reference to rota sheets, which she claimed to have checked to confirm that it was Ms Thomas that had last visited Service User 1 prior to the data breach occurring, and these too had not been provided to the panel.

71. Whilst the panel was of the view that CD was doing her best to be accurate in her evidence, given the passage of time since the incident, the panel determined that it could place little weight on the evidence CD provided to it.

KM: Senior Human Resources Advisor at the Council.

72. KM told the panel that she is currently employed as a Senior Human Resources Advisor for the Council and has worked for the Council since 2004, but that she has held her current role since 2007. KM told the panel that her role requires her to deal with employment related issues and manage transactional HR as part of a team.
73. KM gave evidence to the panel that at the time of the incident part of the HR function for the Council was outsourced to an external company. The company would be responsible for managing payroll, processing documents and dealing with recruitment. KM stated that an individual from the external company, JM, raised concerns with her in respect of Ms Thomas in January 2018.
74. KM told the panel that the council received two applications for employment from the social worker. The first was received in March 2017. KM told the panel that Ms Thomas was originally offered a social worker position, following a successful interview, but upon receipt of a reference from Key2 this offer was withdrawn when the Council were made aware of her dismissal from Key2 and the safeguarding concerns being raised by Key2. The second application received by the Council, from Ms Thomas, was for a different role and was received in November 2017.
75. KM told the panel that she was not directly involved in interviewing Ms Thomas for either role, but became directly involved after the Council received the second job application.

76. KM stated that there were two different teams undertaking the recruitment process on each occasion and two different recruiting managers.
77. KM gave evidence to the panel that Ms Thomas applied for a social worker role, within the Disabled Children's team at the Council, in March 2017. KM provided the panel with a copy of the social workers application in respect of this role. KM stated that the Ms Thomas attended an interview in April 2017 and a conditional offer of employment was made to her, pending a number of checks including references.
78. On 17 May 2017 an employment reference was received from Key2, which KM provided to the panel. KM told the panel that concerns were raised following receipt of this reference as it outlined that Ms Thomas had been dismissed for gross misconduct and for safeguarding concerns, by Key2.
79. Following receipt of the reference, a member of the Council contacted Key2 and asked their permission to disclose the reference provided by them, to the social worker. On 22 May 2017, an employee of the Council contacted Ms Thomas and inform her that the offer was being withdrawn because of the reference provided by Key2. KM provided a copy of the letter sent to the social worker, dated 23 May 2017, to the panel.
80. KM told the panel that in November 2017 Ms Thomas applied for another role at the Council and told the panel that her application was submitted on 13 November 2017. KM provided a copy of the application form to the panel as an exhibit.
81. KM stated that on 21 January 2018 Ms Thomas attended an interview with the recruiting manager at the Council. KM stated that she was not present at the interview. Following the interview the recruiting manager informed the HR team that she was going to appoint Ms Thomas for social worker to the role applied for. At this point a member of the outsourced HR team recognised the social worker's name and raised concerns to the internal HR team at the Council. KM stated at this point she became involved and spoke with the recruiting manager, outlining the concerns that had been raised further to the social worker's first application to the Council.
82. KM told the panel that in turn, the recruiting manager contacted Ms Thomas to raise with her, her reasons for not disclosing Key2 as a previous employer on her second

application form. KM told the panel that at this point Ms Thomas had conveyed to the recruiting manager that she had been advised to leave off any employment which was under 6 months, by a careers advisor.

83. KM drew the panel's attention to the Council's application form and in particular to the section which states that references must be provided to cover the last five years of employment history and that this should cover, at the very least, the current or most recent employer.
84. KM told the panel that from considering the social worker's first application form submitted (in March 2017), Ms Thomas started employment with Key2 in November 2016 and that this was within the five year period required by the second application form submitted to the Council. KM told the panel that owing to the social worker's omission to include Key2 as a previous employer, there was a gap in her employment history and that the employment history provided that Ms Thomas was employed at South Gloucester from 2015 to 2016. She also stated that the second application form also then states that her employment at Springfield Care Home runs from March 2016 with no end date provided, drawing the panel's attention to the fact that this information was not contained within the social worker's first application form.
85. KM told the panel that it was very concerning that Ms Thomas had not disclosed Key2 on her second application form, because an offer of employment had been withdrawn on the basis of their reference of the social worker. KM told the panel that it seemed to her, like Ms Thomas had been trying to cover up her employment with Key2 as she knew that a previous offer had been withdrawn because of a reference provided by them.
86. The panel found KM to be a straightforward and competent witness who clearly stated when it was her, or her colleague, who had been involved in the dealings with the social worker. The panel also noted that KM had provided detailed documentary evidence to support her oral evidence and written statements.

Finding and reasons on facts

Panel's Approach:

87. The panel was aware that the burden of proving the facts was on Social Work England. Ms Thomas did not have to prove anything and the individual particulars of the Allegations could only be found proved if the panel was satisfied on the balance of probabilities.
88. In reaching its decision the panel took into account the oral evidence of all of the witnesses, the documentary evidence contained within the hearing bundles as well as the oral submissions made by Mr Harris.
89. The panel accepted the advice of the Legal Adviser.

Stem

Whilst registered as a Social Worker with the Health and Care Professions Council:

90. The panel noted that there was direct evidence before it that Ms Thomas was a registered member of the HCPC at the time that the alleged events occurred. On both job applications made by Ms Thomas in March and November 2017 she has listed her HCPC social worker registration number under the professional membership section of the application with a start date of 1.11.2016 and an expiry date of 1.11.2018. The panel was therefore satisfied that Ms Thomas was registered with the HCPC as a social worker at the time.

Particular 1: Not proved.

1. On or around 11 March 2017 whilst employed by Key2, you informed Colleague A that you could not continue your on call duties due to a medical emergency with your son when this was not the case.

91. The panel had regard to the evidence provided by BWJ. BWJ was clear in her oral evidence that she had received a telephone call from Ms Thomas on 11 March 2017. BWJ was also clear in her evidence that Ms Thomas had informed her that she was unable to continue with her 'on call' duties owing to a medical emergency with her

son. Further, BWJ also provided the panel with a copy of an email, which she had sent to a number of senior managers at Key2, on the same date (11 March 2017) outlining the steps that she had taken. The panel therefore determined as a matter of fact that Ms Thomas had contacted BWJ on 11 March 2017 to inform her that she was unable to continue with her 'on call' duties as a result of a medical emergency with her son.

92. The panel was also satisfied on the evidence before it, namely the application form submitted to the Council and the evidence from AH, BWJ and CD that Ms Thomas was employed by Key2 on the dates contained with the Allegation.
93. However, the panel went on to consider the latter part of particular 1 which states '*when this was not the case*'. The panel carefully considered the evidence before it in respect of this aspect of Particular 1. The panel noted that it only had CD's evidence to rely upon. CD had informed the panel that contact had been made by RM to the Police and that the Police had informed him that the 101 call received had gone to the Metropolitan Police in London, rather than Avon and Somerset Police. The panel noted that it had not been provided with a statement from RM to confirm this account, nor had he been called to give evidence to the panel. Further, the panel noted that there was no documentary evidence before it from either Avon and Somerset Police or the Metropolitan Police to confirm the assertion that the social worker had been in the London area when she telephoned 101.
94. The panel next considered the Disciplinary Hearing notes, dated 28 March 2017. In the notes, CD claimed that Ms Thomas gave a different account of her whereabouts, stating that she had been in London at the time the call to 101 was made. CD also informed the panel, during her oral evidence, that RM had taken these notes during the disciplinary meeting with Ms Thomas and that they were an accurate account of the discussions, which had taken place.
95. However, the panel noted that in the section where the employee is required to sign the notes to acknowledge their accuracy, that Ms Thomas had not done so. Again, RM had not provided a statement in respect of these notes, nor had he been called to give evidence about the notes or his dealings with Ms Thomas or the investigation

into her conduct. Therefore, given the panel's concerns in respect of the reliability of CD's evidence, the panel determined that it could place no weight on the Disciplinary notes before it.

96. The panel was also of the view that the information before it in respect of the social worker's whereabouts when she telephoned WBJ amounted to hearsay evidence and an alleged statement from the social worker, upon which it could place no weight. Given the panel's concerns regarding CD's reliability as a witness, the panel determined that it was not satisfied, on the balance of probabilities that Social Work England had discharged its burden to prove that Ms Thomas was not where she claimed to be.
97. The panel therefore found Particular 1 not proved.

Particular 2: Not proved

2. On or around 21 March 2017 whilst employed by Key2, you left private and confidential paperwork at the property of a Service User.

98. The panel noted that AH had provided evidence to it that she had been told, by Service User 1, that it was Ms Thomas that had left confidential paperwork at her property. The panel also noted that AH was adamant, during her oral evidence, that she had not questioned Service User 1 on this account because she had not wanted to make Service User 1 feel uncomfortable. AH told the panel that she recognised the social worker's handwriting on the 'top sheet' documentation, but that she had not looked through the confidential papers, as she had wanted to return the paperwork to the office as quickly as possible.
99. AH also gave evidence to the panel that upon her return to the office she made contact with her line manager regarding the steps that she had taken and that she had followed this up with an email. The panel noted that the contents of the email confirmed that the alleged data breach incident had been reported to her on the 21 March 2017.

100. The panel therefore determined, on the evidence before it, that confidential paperwork had been left at Service User 1's property on or around 21 March 2017.
101. However, when considering the evidence before it in respect of who had left the confidential paperwork at the property of Service User 1, the panel noted that it had three pieces of evidence before it. Firstly, it had evidence from AH, as to what Service User 1 had told her about who left the documentation. Secondly, it had an oral account, provided by AH, that she recognised the social worker's handwriting on the documents, and lastly it had evidence from CD that she had checked the rota sheets to confirm that Ms Thomas was the last person to visit Service User 1 before AH.
102. The panel was concerned about placing any reliance on the evidence provided by AH in respect of what Service User 1 had told her. Service User 1 had not been contacted either by CD, as part of the disciplinary proceedings, or Social Work England as part of the regulatory proceedings, to provide a direct account of who had left the documentation at her property or to determine the accuracy of the statement made by AH. Therefore in the panel's view, the hearsay evidence before it was unchallenged and somewhat unreliable as it was passed via AH, to RM and CM, rather than seeking to obtain a direct account from Service User 1.
103. In respect of placing any weight on AH's oral evidence that she recognised the social worker's handwriting, the panel noted that this was evidence not contained within her written statement and was something she provided to the panel during the course of her oral testimony. Given that AH is not a hand writing expert, and the events occurred more than four years ago, the panel was of the view that it could place little weight on this aspect of AH's evidence before it.
104. The panel next considered CD's oral evidence that she checked the rota sheets, to confirm who the last person was to attend to Service User 1 prior to AH. The panel noted that it did not have any documents from CD's investigation into the alleged data breach before it, including the rota sheets allegedly relied upon by CD. The panel also noted that in her written statement, CD made no mention of checking the rota sheets as part of her investigation. Further, the panel also noted that CD

claimed to have spoken to AH as part of her investigation into the data breach. In AH's oral evidence she contradicted this and stated that she had not been approached by anyone regarding the matter after returning the documents to the office.

105. Consequently, the panel was not satisfied on the evidence before it that it was Ms Thomas that had left the confidential paperwork at Service User 1's property.

106. Particular 2 is therefore not proved.

Particular 3: Proved.

3. On or around 13 November 2017, you completed and submitted an inaccurate application form for a job at North Somerset Council when you omitted your employment at Key2 from the form.

107. The panel had regard to KM's evidence in respect of this particular. KM provided clear evidence to the panel in respect of the timelines concerning the social worker's two job applications to the Council. The panel noted the contents of the two job application forms and noted that the second job application, submitted by Ms Thomas on 13 November 2017, omitted her employment from Key2 from the form.

108. On the basis of the evidence before it, the panel was satisfied that Particular 3 had been proved on the balance of probabilities.

Particular 4:

4. Your conduct in paragraph 1 and 3 was dishonest.

109. The panel did not consider dishonesty in respect of Particular 1 as it had not found the matter proved.

110. The panel went on to consider whether the social worker's conduct, as outlined in Particular 3 was dishonest.

111. The panel noted, from KM's evidence, that Ms Thomas had received an initial job offer from the Council in March 2017, which had been retracted on the basis of a

subsequent reference provided by Key2. The panel also noted that the letter informing Ms Thomas of the reasons for the retraction of the offer had been very clear of its rationale and reasoning. Further, the panel also noted that Ms Thomas had been sent a copy of Key2's reference regarding her dismissal and the safeguarding concerns that Key2 had about her.

112. Additionally, the panel noted the very clear instructions, contained within the second application form that an applicant ought to provide references covering five years and had regard to the fact that Ms Thomas had not done so.
113. In the panel's view it was very clear to the social worker, from the contents and wording of the application form, that she needed to provide references covering her previous five years of employment. Further, it was also clear to the panel that she omitted Key2 as a previous employer, in the second application to the Council, because she had a previous offer of employment retracted when she had included Key2 as a reference. The panel was of the view that Ms Thomas would have known that her conduct was dishonest and that she should have disclosed the information relating to her employment with Key2. The panel concluded that she did not disclose the information in order to secure a position with the Council and avoid Key2 providing a further reference, which would inevitably have resulted in a second offer of employment being retracted. The panel was not persuaded by the account allegedly provided by Ms Thomas that she had been told not to disclose this information by a careers advisor because the application form itself was very clear in terms of what was required of her. In the panel's view Ms Thomas knew what she was doing was dishonest and she deliberately omitted the information relating to Key2 in an attempt to secure employment with the Council.
114. The panel considered that an ordinary member of the public would be appalled to learn that a social worker had acted in the manner in which Ms Thomas had, and would conclude that she had acted dishonestly in not disclosing Key2 as a previous employer on her second application form.
115. Consequently, particular 4 is proved.

Decision on grounds

116. Having found Particulars 3 and 4 proved, the panel went on to consider whether Ms Thomas' conduct amounted to misconduct.

Panel's Approach

117. The Panel took into account the oral submissions made by Mr Harris on behalf of Social Work England and accepted the advice of the Legal Adviser.
118. In considering the issue of misconduct, the Panel bore in mind the explanation of that term given by the Privy Council in the case of *Roylance v GMC (No.2) [2000] 1 AC 311* where it was stated that:

"Misconduct is a word of general effect, involving some act or omission which falls short of what would be proper in the circumstances. The standard of propriety may often be found by reference to the rules and standards ordinarily required to be followed by a ... practitioner in the particular circumstances. The misconduct is qualified in two respects. First, it is qualified by the word 'professional', which links the misconduct to the profession ... Secondly, the misconduct is qualified by the word 'serious'. It is not any professional misconduct which will qualify. The professional misconduct must be serious."

119. The panel considered the HCPC Standards of Conduct, Performance and Ethics (2016) and was satisfied that Ms Thomas' conduct breached the following standards:

- *9 - Be honest and trustworthy;*
- *9.1 - You must make sure that your conduct justifies the public's trust and confidence in you and your profession; and*
- *9.2 - You must be honest about your experience, qualifications and skills.*

120. The Panel also considered the HCPC Standards of Proficiency for Social Workers (2017) and was satisfied that Ms Thomas' conduct breached the following standard:

- *3.1 - understand the need to maintain high standards of personal and professional conduct.*

121. The panel considered that Ms Thomas, as a qualified social worker, had an obligation to be honest when completing her application form to the Council, notwithstanding the personal impact that doing so may have had on her. Namely, the possibility of her offer of employment being revoked, as it had been in her first application to the Council in March 2017. The panel was of the view that Ms Thomas' actions, in omitting her employment from Key2, when completing and submitting her application form to the Council were calculated and deliberate and carried out in order to secure employment with the Council. The panel was of the view that Ms Thomas knew that what she was doing was wrong, but she chose to do it anyway. The panel considered that Ms Thomas' actions were not those expected of a social worker and that by engaging in this type of deceitful conduct she had breached a fundamental tenet of the profession.
122. The panel was also of the view that members of the social work profession and the public would expect Ms Thomas to have been honest on an application for a social work role and that by omitting the information she fell far below the standards expected of a registered social worker.
123. The panel noted that whilst there was no evidence of direct harm to service users in this case, because Ms Thomas' actions were identified by a member of the Council's Human Resources team, the panel considered that Ms Thomas' actions did have the potential to undermine the public's trust in her as a professional and also the public's trust and confidence in the wider profession.
124. The panel was aware that a breach of the standards alone does not necessarily constitute misconduct. However, the panel was of the view that Ms Thomas' conscious and deliberate dishonesty represented a serious breach of professional standards, falling far below the behaviour expected of a registered social worker and therefore amounted to misconduct.

Decision on Impairment

Panel's Approach

125. Having found that Ms Thomas' actions and dishonest conduct amount to misconduct, the panel went on to consider whether her fitness to practise is currently impaired.
126. The panel also took into account the oral submissions of Mr Harris, on behalf of the Social Work England, and accepted the advice of the Legal Adviser.
127. The Legal Adviser advised that in determining current impairment the panel should have regard to the following aspects of the public interest:
- i) The 'personal' component: the current behaviour of the individual social worker;
and
 - ii) The 'public' component: the need to protect service users, declare and uphold proper standards of behaviour and maintain public confidence in the profession.

Panel's Decision

128. The panel considered Ms Thomas' current fitness to practise firstly from the personal perspective and then from the wider public perspective.
129. The panel took the view that the factual findings in this case raise significant concerns regarding Ms Thomas' integrity. In addition, the panel also had regard to a previous regulatory finding, whereby a Conduct and Competence Committee of the HCPC made a separate finding of dishonesty against Ms Thomas, in 2014.
130. The panel also had regard to the fact that Ms Thomas has failed to engage with the regulatory proceedings; has failed to provide any evidence of insight or remorse; and has failed to provide the panel with any evidence of her attempts to remediate her conduct. Whilst the panel appreciated that demonstrating remediation following a second finding of dishonesty is inherently difficult, the panel was of the view that her conduct could be remediated. However, there is no evidence before the panel that Ms Thomas has sought in any way to remedy her shortcomings. In the absence of any insight or any meaningful reflection the panel concluded that there was a real risk of repetition. In particular, the panel concluded that Ms Thomas' actions brought the profession into disrepute, breached a fundamental tenet of the profession and

demonstrated that her integrity could not be relied upon. There was no evidence before the panel that Ms Thomas had reflected on her dishonesty. Honest reflection is fundamental to the role of a social worker and therefore the panel was led to the inevitable conclusion that there is an on-going risk of repetition.

131. The panel concluded that for these reasons Ms Thomas' fitness to practise is currently impaired based on the personal component.
132. The panel went on to consider whether this was a case that required a finding of impairment on public interest grounds in order to maintain public confidence in the profession and in the regulator. In considering the public component the panel had regard to the public interest, which included the need to maintain confidence in the profession and declare and uphold proper standards of conduct and behaviour.
133. The panel was satisfied that an informed member of the public, who was aware of the background to this case, would have their confidence in the profession and the regulator undermined if a finding of impairment were not made given Ms Thomas' dishonest conduct and the lack of insight, remorse or remediation shown by her.
134. In the panel's view, Ms Thomas' dishonest conduct demonstrated a blatant disregard of her professional obligations and members of the public would be extremely concerned to learn that a registered social worker had lied on her job application, in an attempt to secure employment and that this was the second finding of dishonesty made against her. The panel considered it critically important for the profession to have integrity and for the public to be able to trust the words and actions of a social worker.
135. A significant aspect of the public component is upholding proper standards of behaviour. Ms Thomas' conduct fell far below those expected. The panel concluded that public confidence in the profession would be undermined if a finding of fitness to practise was not made, given the seriousness of the Registrant's dishonest conduct and behaviour.
136. The panel therefore concluded that Ms Thomas' current fitness to practise is impaired on the basis of both the personal component and the wider public interest.

Decision on sanction

137. Mr Harris submitted having found the Allegation is well founded that it was appropriate for the Panel to go on to determine sanction.
138. Mr Harris further submitted that a removal order was the appropriate sanction, taking into account all of the circumstances of the case. He submitted that Ms Thomas' conduct was a character based and attitudinal issue and drew the panel's attention to Ms Thomas' previous regulatory history, including a previous finding of dishonesty; and the fact that Ms Thomas had failed to engage in the regulatory proceedings and consequently, had failed to demonstrate any evidence of insight, remediation or remorse.
139. Mr Harris also drew the panel's attention to the cases of *Parkinson v Nursing and Midwifery Council* [2010] EWHC 1898 (Admin) and *Bolton v Law Society* [1994] 1 WLR 512 CA.

Panel's Approach

140. In reaching its decision on sanction, the panel took into account the submissions made by Mr Harris and also had regard to the 'Sanctions Guidance' issued by Social Work England. In particular, paragraphs 106 to 109. The Panel accepted the advice of the Legal Adviser.
141. The panel had in mind the fact that the purpose of sanction was not to punish Ms Thomas, but to protect the public, maintain public confidence in the profession and maintain proper standards of conduct and performance. The panel was also cognisant of the need to ensure that any sanction is proportionate.
142. To assist it in assessing the relevant level of sanction, the panel identified the following mitigating and aggravating factors.

Aggravating factors:

143. The panel considered the aggravating factors in this case to be:

- i. that Ms Thomas had a previous regulatory finding of dishonest conduct; and
- ii. her dishonest actions in this case were deliberate, calculated and involved a level of concealment.

Mitigating factors:

144. The panel considered there were no mitigating factors in this case.
145. As advised by the Legal Adviser, the panel started its consideration of this matter from the bottom of the scale of possible sanctions.
146. The panel first considered taking no action and then moved on to consider giving Ms Thomas advice or a warning, in ascending order. In light of the seriousness of the misconduct, the panel did not consider that taking no action, or issuing an advice or warning was appropriate in this case because none of these options would protect the public from the risks identified by the panel. The panel was of the view that such sanctions would also not reflect the seriousness of the misconduct in this case. The panel determined that public confidence in the profession, and Social Work England as its Regulator, would be undermined if such behaviour were dealt with by way of any of these sanctions.
147. The panel next considered whether to place conditions on Ms Thomas' registration. However, for a Conditions of Practice Order to be effective the panel has to be satisfied that the social worker will co-operate with any conditions imposed and be genuinely committed to addressing the misconduct. Further, conditions of practice are usually suitable in cases concerning a lack of competence; the panel did not find that it could formulate conditions, which would suitably address the dishonesty found in this case. This was particularly so in light of Ms Thomas' lack of engagement in these proceedings. Therefore, the panel determined that it was not possible for it to formulate conditions that would be suitable, workable or realistic in this case.
148. The panel next considered whether to impose a Suspension Order. Such an order would provide the necessary degree of protection for the public, whilst leaving open the

possibility of remediation and improved insight. However, the panel was not satisfied that a Suspension Order was appropriate owing to the serious nature of Ms Thomas' conduct in this case and the previous regulatory finding of dishonesty made against her. The panel has insufficient confidence that Ms Thomas will be able to return to safe practice in the future because of the underlying attitudinal issues demonstrated by more than one finding of dishonesty by her regulator and by her lack of engagement in these proceedings.

149. The panel noted that there were no mitigating circumstances in this case. Further, the panel noted that Ms Thomas has not engaged with her regulator and has not demonstrated any insight, remediation or remorse for her dishonest conduct. She has been afforded numerous opportunities to do so, prior to and during the course of this hearing. The matters before the panel concern Ms Thomas' integrity and there was nothing before the panel, which would alleviate its concern that she would not act in a dishonest manner again in the future. Ms Thomas' misconduct falls at the top end of the spectrum and the panel considered that members of the public would expect the regulator to regard such conduct as incompatible with continued registration, especially when there is no evidence of a commitment from Ms Thomas to acknowledge or to address the panel's concerns.
150. The panel therefore considered the option of a removal order and decided that in all the circumstances of this case it was the appropriate and proportionate sanction. The panel considered Ms Thomas' interests, but decided that they were outweighed by the need to protect the public and the wider public interest, including upholding professional standards of conduct and behaviour.
151. Accordingly, the panel direct the Registrar to remove Ms Verona V Thomas' name from the social work Register.

Interim order

152. Mr Harris, on behalf of Social Work England, applied for an interim suspension order to cover the appeal period and any period during which an appeal, if lodged, could be resolved.

153. Mr Harris submitted that the need for an interim order was apparent from the terms of the panel's decision and from the fact that the panel's substantive order would not come into effect until 28 days from notification of the decision or upon the resolution of any appeal from that decision.
154. The Legal Adviser reminded the panel of the need to be satisfied that any interim order was necessary for the protection of the public.
155. The panel makes an Interim Suspension Order pursuant to paragraph 11(1)(b) of Schedule 2 of the Social Workers Regulations 2018. For the same reasons given in its determination on sanction, the panel concluded that an Interim Conditions of Practice Order would not be appropriate. It concluded that the only proportionate interim order was an Interim Suspension Order for the period of 18 months to cover any appeal period and was necessary for public protection and is otherwise in the public interest. The panel has made a finding that Ms Thomas should be removed from the register; to make no order would be inconsistent with that finding and would not protect the public from the risks identified by the panel.

Right of Appeal

1. Under paragraph 16 (1) (a) of schedule 2, part 5 of the Social Workers Regulations 2018, the Social worker may appeal to the High Court against 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.
2. Under paragraph 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.
3. 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.

4. 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

5. Under paragraph 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.
6. 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.