

Social Worker: Neil James Langley

Registration Number: SW29819

Fitness to Practise:

Final Hearing

Date(s) of hearing: 01 June 2021 to 03 June 2021

Hearing Venue: Remote hearing

Hearing outcome: Removal order

Interim order: Interim suspension order (18 months)

Introduction and attendees

1. This is a hearing held under Part 5 of The Social Workers Regulations 2018.
2. Mr Langley did not attend and was not represented, although his solicitors submitted representations on his behalf.
3. Social Work England was represented by Louisa Atkin as instructed by Capsticks LLP.

Adjudicators	Role
Karen McArthur	Chair
Belinda Henson	Social Worker Adjudicator
Judith Webb	Lay Adjudicator

Agnes De Biase	Hearings Officer
Kathryn Tinsley	Hearing Support Officer
Gerrard Coll	Legal Adviser

Service of Notice:

4. Mr Langley did not attend and was not represented. Ms Atkin informed the panel of adjudicators (the panel) that notice of this hearing was sent on 6 May 2021 to Mr Langley by email to his email address on the Social Work Register (the Register) and to his nominated solicitor by recorded delivery. Ms Atkin referred the panel to an email dated 14 April 2021 from Mr Langley's solicitor agreeing to an amended timetable and shorter notice of 21 days under rule 14. Ms Atkin submitted that the notice of this hearing had been duly served.
5. The panel accepted the advice of the legal adviser in relation to service of notice.
6. Having had regard to rules 14, 44 and 45 and 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 Mr Langley.

Proceeding in the absence of the social worker:

7. The panel heard the submissions of Ms Atkin on behalf of Social Work England. Ms Atkin submitted that notice of this hearing had been duly served, no application for an

adjournment had been made by Mr Langley and as such no guarantee adjourning today's proceedings would secure his attendance. Ms Atkin further submitted that Mr Langley's solicitor had confirmed in an email of 4 May 2021 (after service of notice) as follows:

*'...in answer to your questions:
1 – neither Mr Langley or I intend to attend the hearing
2 – we therefore agree the timetable
3&4 – we therefore do not intend to oppose the contents of the witness statement and do not require the witnesses' attendance.
I trust this clarifies the position.'*

Ms Atkin submitted that Mr Langley's solicitors had made written representations in lieu of attendance and therefore invited the panel to proceed in the interests of justice and the expeditious disposal of this hearing.

8. The panel accepted the advice of the legal adviser in relation to the factors it should take into account when considering this application. This included reference to rule 43 the cases of *R v Jones* [2003] UKPC and *General Medical Council v Adeogba* [2016] EWCA Civ 162.
9. The panel considered all of the information before it, together with the submissions made by Ms Atkin on behalf of Social Work England. The panel considered that all reasonable steps had been taken within the rules to notify Mr Langley of today's hearing including his agreement to a shorter period of notice and his solicitor's confirmation that neither would attend, and accordingly were aware of today's hearing.
10. The panel, therefore, concluded that Mr Langley had chosen voluntarily to absent himself. The panel had no reason to believe that an adjournment would result in Mr Langley's attendance as he had made written representations in lieu of personal attendance. Having weighed the interests of Mr Langley in regard to his attendance at the hearing with those of Social Work England and the public interest in an expeditious disposal of this hearing, the panel determined to proceed in Mr Langley's absence.

Allegation

11. Whilst registered as a Social Worker and employed by Sheffield City Council:
 1. You knowingly recorded false information, on the Liquid Logic system, in relation to statutory visits you did not undertake for the following service users on or around:
 - a) 17 December 2018 and/or 17 January 2019 for Service User KC /LG.
 - b) 21 December 2018 and/or 7 January 2019 for Service User LM.
 - c) 29 January 2019 for Service User AY.

2. You did not keep accurate and/or contemporaneous records in that:
 - b) You did not record visits and/or appointments in your Outlook calendar, for a number of service users between the dates of January-February 2019.
3. You did not adequately safeguard Service users in your care, in that:
 - c) You did not implement a safety plan for Service User AY, following reports of an assault on Service User AY.
4. On or around 31 January 2019, you provided false verbal information to manager TW in that:
 - a) You advised TW that you had recently visited Service User AY 3,
 - b) You advised TW of Service User AY's physical health condition home conditions were 'good', or words to that effect,
 - c) You advised TW that Service User AY had been 'stabbed', or words to that effect,
 - d) You advised TW that Service User AY's Family was 'healing well', or words to that effect,
 - e) You advised TW that the police 'were taking no further action', or words to this effect, following assault on Service User AY, when the police had not been involved,
5. ~~Your actions at paragraphs 1 and 4 were dishonest.~~ **Your actions at paragraphs 1 and/ or 4 were dishonest in that:**
 - a) **in relation to paragraph 1 you knew you had not conducted home visits as alleged but recorded or caused to be recorded information that stated you had;**
 - b) **in relation to paragraph 4(a) you had not visited Service User AY and knew you had not done so;**
 - c) **in relation to paragraphs 4 (b) - (e) you provided information that you had not verified by visiting Service User AY's home and represented the information as accurate when you could not have known if it was accurate or not.**
6. Your actions at paragraphs 1 – 5 constitute misconduct.
7. By reason of your misconduct, your fitness to practise is impaired.

Preliminary matters

First application.

12. Ms Atkin made an application to amend the allegations by strike-through and bold face type to make clearer to him and the panel the case that Mr Langley faced, including particulars of dishonesty. She said that Mr Langley had been notified of the proposed amendments on 18 March 2021, and Mr Langley had submitted his response taking into account the amendments proposed. Ms Atkin submitted that no prejudice was caused to Mr Langley by the amendments.
13. The panel, having taken advice from the Legal Adviser regarding rule 32 and being of the view that the proposed amendment was not unfair to Mr Langley, accepted the amendments.

Second application.

14. Ms Atkin applied for those parts of the hearing which touched on Mr Langley's health or private life should be heard in private and not recorded in the transcript. She reminded the panel that rule 32 required that any such matter be heard in private. The panel accepted the legal adviser's advice and determined that any such matter relating to an identifiable individual should be in private and not form part of the transcript.

Summary of Evidence

15. The panel was provided with;
 - A 592-page evidence bundle which included Sheffield City Council's employment disciplinary investigation and Mr Langley's responses,
 - a 19-page statements bundle containing the witness statements of TW and ABB,
 - a supplementary bundle of 7 pages containing Mr Langley's solicitors' submissions on sanction and a character reference,
 - Social Work England's 12-page statement of case,
 - A 43-page service and supplementary bundle including formal admissions by Mr Langley.
- i) Social Work England's evidence was that Mr Langley had been employed by Sheffield City Council (the council) as a social worker between May 2012 and May 2019. Mr Langley began as an Assisted and Supported Year in Employment

(ASYE) initially for 12 months, but that training period was extended to 18 months because he did not perform to the standards expected. The evidence supported that Mr Langley had been subject to several performance reviews and improvement plans throughout his career, principally focussed on his record keeping and conducting interviews in a timely way. The council accepted that Mr Langley was a "team player" and liked by his colleagues. In 2018, Mr Langley's health had deteriorated following the council deciding that Mr Langley's performance required formal supervision. Mr Langley was placed under a performance review process on his return to work and he appeared to thrive. Mr Langley appeared to meet all of the review points and talked about obtaining a job in a specialist childcare area of work.

- ii) The concerns which resulted in Mr Langley being referred by the council to the Health and Care Professions Council (HCPC) on 4 March 2019 related to a period between November 2018 and February 2019. The referral was based on Mr Langley falsifying information on care records relating to three families, as outlined in head of charge 1. Mr Langley is alleged to have made false record entries of visits to service users which had not occurred. The record entries contain significant details, consistent with a personal visit by him. On one occasion, he met his line manager, TW, who had information about the true situation, including reports to her by a service user's mother and another social worker. Mr Langley allegedly maintained the fiction that he had personally conducted visits and expanded on details intended to suggest that he had done the work and made rational decisions supported by personal observations. This untruth led to an internal council disciplinary investigation and hearing, resulting in Mr Langley's dismissal from the service. In the course of the internal council investigation and disciplinary proceedings Mr Langley candidly admitted what he had done. He explained that his ill-health was a factor, as was stress at the prospect of being returned to a performance review process. There was no evidence of actual harm to any service user. Still, the council considered that trust by service users could potentially have been undermined in the council's social work service.
- iii) Mr Langley made formal admissions in his responses to Social Work England, again candidly acknowledging his responsibility for making false records of visits which had not occurred. He did not accept that he was required to implement a safety plan.
- iv) Mr Langley made written admissions to Social Work England which are contained in the supplementary bundle of papers. Mr Langley explained that he

had been ill and stressed by his inability to make appropriate records in time and to carry out visits as required. Mr Langley, felt unable to face censure for once again failing to meet time scales and record keeping demands and said that he acted as he did to buy himself time, and intended to carry out the visits at a later date. Mr Langley said that his workload placed him under pressure, which was a high workload without proper resources and administrative backup.

Witnesses called.

16. Ms Atkin called two witness to confirm under affirmation their signed statements:
 - (i) TW; and
 - (ii) ABB.
17. Both of the witnesses also responded to questions regarding Mr Langley's submissions.
18. ABB was an assistant service manager and later service manager employed by Sheffield City Council. ABB was engaged in the council's internal disciplinary investigation and proceedings. She referred to the relevant documents in the bundles. In the disciplinary hearing, she confirmed that Mr Langley had admitted that he had not visited service user KC on 17 January 2019 contrary to his records made by him. Regarding the visit of 17 December 2018 Mr Langley had at first maintained that he had attended this visit, despite evidence that he was on annual leave at this time taking an opportunity to shadow a colleague in children's mental health services. Later, Mr Langley reported that his memory of this event was unclear. He could not be completely confident that the visit had taken place as entered in the records because the contrary information caused him to doubt his recollection of the visit. Accordingly, he said "*I am inclined to offer no argument as I do not have a firm position to defend*".
19. ABB did not accept the explanations put forward in writing to Social Work England by Mr Langley that a safety plan for service user AY was not mandated in the circumstances. ABB said that a safety plan was necessary to guard against the service user or his siblings being in danger from gang-related activity. In the circumstances a safety plan is a standard requirement and it is a basic element of social work practice which Mr Langley would be familiar with. She said that she would expect Mr Langley to understand the need for a safety plan no matter the terminology employed as a minimum level of social worker response to protect the young person. ABB said that the council standards sets out the minimum timescales for visits which had not been complied with. ABB disagreed with Mr Langley's assertion that his case load was a heavy one. She said that Mr Langley's case load of 22 children was not excessive and could include up to five children in one family and so the number of cases that he was dealing with was manageable. In addition, ABB did not accept

that Mr Langley had a complex caseload. In her view, there were no constraints either of resources or time which would have prevented Mr Langley from completing his visits and case records promptly. ABB explained that the council had a comprehensive training programme for social workers, which was freely available to Mr Langley. He had not identified a particular training need beyond what was available to him. There was no record that Mr Langley had attempted to discuss a training need with his line manager, as he would know to do.

20. ABB observed that in the case of service user AY, the outcome of a Strategy Discussion following two duty social workers' visits to the young person's home was that the issues could be dealt with under section 17 rather than section 47 of the Children and Young Persons Act. It was intended that Mr Langley would conduct a single agency social care assessment. She observed that if one child in the family was in danger then all of the children were at risk from gang-related issues. Mr Langley had the opportunity to access specialist child exploitation services if required. Mr Langley was trained and would know this. She did not accept that the circumstances did not call for a safety plan to be implemented.
21. TW was Mr Langley's direct line manager and had known him for some time. She recognised his personal qualities at work including his ability to support the team when required. Colleagues liked him. Until these events came to light, she had been pleased with his progress including his successful exiting of a performance management plan. TW also did not accept Mr Langley's position in regard to the unwritten safety plan for service user AY. In her view the correct approach would have been to conduct a visit and to keep in mind that all of the children would be a cause for concern. Regarding service user KC, there were historic allegations linked to a family member for this family which should have been taken into account. However, as a visit did not take place, the opportunity was lost.
22. TW likewise did not accept that Mr Langley had an excessive and unmanageable caseload. She said that Mr Langley had not raised any issues with her in that regard. She could not recall any union intervention directed at containing unmanageable case loads, as asserted by Mr Langley. She said that it was true that there were always staff shortages and members of staff on holiday which added to the pressures of an already stressful job. However, she could not recall having to engage extra assistance from agency social workers in order to cope with staff shortages. She did not recall the period between November 2018 and March 2019 as being a difficult one from a staffing perspective. The matter had not been raised as an issue with her by Mr Langley at this time. In relation to training, TW said that the council had a really good development programme and she could not think what he had not been provided with. The practice standards referred to by TW had been available on everyone's desktop for reference at any time. Mr Langley could book training at an online development hub, and he would know this.

23. TW recalled meeting with Mr Langley in relation to service user AY in January 2019. She discussed with him the findings of his visit, the version of which he maintained, although he appeared to be unclear and unable to resolve satisfactorily the alleged issue of injury suffered by service user AY. AY had been referred to the department by the accident and emergency department of the Northern General Hospital where he had attended for the significant facial injury. Mr Langley did not identify a facial injury as being the issue. He recorded matters as being either a penetrating stab wound to the body or a minor stab wound to one of the service user's legs. TW also did not accept that it was inappropriate to implement a safety plan for service user AY. Had there been concerns including a lack of family involvement and engagement then the department could escalate matters by seeing the child at school and taking further steps to safeguard him.
24. TW was able to discuss the previous health concerns raised by Mr Langley. In her view, he had shown bravery in responding to an occupational health plan, which included him identifying the stress triggers that would cause him to step back from the workplace. Knowing this, TW would then be able to recognise that a health issue was impacting Mr Langley's work performance and she said that she would take steps to resolve this. She regarded herself as a caring and nurturing manager. She observed that Mr Langley appeared to be confident and happy at work at the time of these incidents, referring to him having identified a career development plan that he was taking steps to pursue.

Mr Langley's admissions.

25. Social Work England also relied on the formal admissions made by Mr Langley through his solicitors, and also the admissions made by him as recorded in the council's disciplinary process. His response to this hearing focussed on sanction, but in regard to the facts read:

'NL has admitted all allegations at the earliest opportunity and the tribunal is invited to give him credit for his admissions. NL further admits his actions amounted to dishonesty and that dishonesty has impaired his practice.'

26. Mr Langley submitted a statement dated 28 April 2021 in which he said:

'I wish to admit the allegations in full. The below is a summary of my responses to the allegations made. None of which is offered as an excuse. I have, and continue to, deal with the consequences of my actions for which no excuse can be offered and no apology is sufficient. I do not intend to appear before the tribunal and ask that this document and other character evidence provided in support are read to the tribunal in place of my attendance.'

Allegations

1a.

I admit this allegation but wish to provide further information. I accept that the information recorded relating to KC on the 17th of January is false. It was not a family I was concerned about, and my manager was in agreement that the family were not a cause for concern. This does not forgive my actions, however. I was pressed for time on other cases and dynamically assessed that a visit not happening to this family would not be likely to cause any problems for the family or put the child at risk. The visit on the 17th of December my memory is not clear about. I came into the disciplinary procedures convinced that I had completed this visit however doubt was cast into my memory the more we spoke about it. I cannot 100% say what happened on that day and as a result am inclined to offer no argument as I do not have a firm position to defend.

1b.

I admit this allegation. In relation to the visit on 21st of December 2018. This was not in fact a home visit however I did see both the mother and the child in our office at Sorby House. I convinced the mother to move back in with her mother (child's grandmother) over the Christmas period as she had moved out and was living with a friend. I informed her that if this was the case I would need to go out and check the property was suitable and gather information regarding her friend in order to complete police checks. The mother agreed to go back to the grandmother's home, and I spoke to the grandmother on the phone to confirm this. I have nothing to add in relation to the visit on 7th January 2019. I had denied this allegation during the SCC disciplinary proceedings but confirm now that I now admit this allegation.

1e.

I admit this allegation. This visit did not happen. I had made repeated attempts to visit the family unsuccessfully. I was feeling pressure to get the visit done. This is not an excuse, merely an explanation of what I was feeling and thinking at the time.

2b.

I admit this allegation but would like the tribunal to know the following. Any booked visits were all in my Outlook calendar. Any visits that were not in my calendar were ones performed either whilst I was out visiting other families and went to the house on the off chance, they were home or visits where I called ahead and arranged to go out immediately. I have never been told by anybody at Sheffield City Council that I should add visits to my calendar retrospectively and it never occurred to me to do this as I used my calendar as a reminder to do things in the future. However, on reflection I now accept that my actions fell below the standards expected of me and I admit this allegation.

3c.

I admit this allegation. I never met AY or his family. I was not aware that a safety plan should have been put in place nor was I instructed to do so. I am not aware of any blanket or automatic requirement to implement a safety plan in the event of a service user being attacked.

4(a) - (e).

The information I gave TW in supervision was not information that I had gathered myself on a visit. The information was taken from the referral document. I have since been told that this information is not in the referral and was factually inaccurate. The only explanations I can offer for this are that the information was on the system in error and was removed after I read it by the social worker responsible for recording the referral, or that I had gathered it from a different service users file in error thinking that it was AY's record. This does not excuse the fact that the visit did not take place. I accept that I should have visited and that it was reasonable of my line manager to assume that the information that I gave her was based on information gathered from a visit which I had falsely declared I had been on. I did not explain to TW that the information was only from the system and did nothing to correct the impression that I had visited them. I therefore accept I was dishonest.

5(a) - (c)

I admit that my behaviour above was dishonest.'

27. Ms Atkin made closing submissions on facts:
28. The panel can find that the admissions by Mr Langley are full, voluntary, and consciously made. They were made at an early stage and have been repeated by him.
29. Mr Langley's admissions are supported by the uncontested council records, the council disciplinary investigation and the council's disciplinary hearing.
30. The witnesses were credible and reliable, with no bias against Mr Langley or reason to inflate their evidence. They did their best to assist the panel despite the time that has passed since these matters were investigated.
31. Dishonesty is objective. The panel should identify what Mr Langley knew at the time of his actions. Ms Atkin submitted that the panel should find that he knew his record entries and statements were false. The panel should then decide whether by ordinary and decent people's standards, what Mr Langley successively did, knowing that those things were false, was a series of dishonest things to do.
32. Misconduct is a matter for the panel's judgement. Mr Langley admitted that his actions amounted to misconduct, but the panel must make its own mind up about misconduct.
33. Misconduct can be measured against the HCPC standards which applied to social workers in 2019. Misconduct must be serious professional misconduct.

Finding and reasons on facts

34. The panel considered that the detailed comprehensive and contemporaneous records produced by Social Work England were reliable and accurate. They were entirely consistent and credible. Mr Langley did not challenge the contents of the records that he had falsely made and he admitted them, supporting their reliability. The records produced in the internal disciplinary hearing were factual in nature and the process appeared to be directed objectively at fact-finding and allowed Mr Langley an opportunity to contribute fully.
35. The panel had regard to the admissions formally made through solicitors on behalf of Mr Langley and in his statement dated 28 April 2021. The admissions appeared to be voluntarily made and linked to all the heads of charge as now formulated. The admissions appeared to be candid although slightly limited in two respects. First Mr Langley did not accept that the

circumstances required him to implement a safety plan for service user AY. Second Mr Langley did not accept that there was an obligation on him to complete entries in the Outlook diary if other council records were made which dealt with the same subjects.

36. Against that background and context, the panel considered the credibility and reliability of the witnesses called by Social Work England, measured against the witnesses' consistency or support in the records.
37. The panel understood that the time that has passed since this matter concluded from the council's point of view would inevitably impact each witness's recall. The panel considered that ABB had been a straightforward witness and had given her evidence in an open manner, not avoiding questions from the panel, and acknowledging that she was one step removed from Mr Langley as a senior manager. The panel considered that there was no conflict in her testimony and the written records.
38. The panel considered TW to be a credible and reliable witness. There was no inconsistency in her testimony and the written records. Her evidence appeared unclear at times, which could be explained by the time since these incidents occurred. The panel did not regard TW as avoiding questions. Still, she appeared to be unable to help with the detail in certain matters regarding Mr Langley's occupational health report and his most recent performance improvement plan. This was not a particular issue in the panel's view as she could recall sufficient details on the essential matters. The panel noted Mr Langley had been on several performance improvement plans in the course of his career. There was no breakdown in personal relations with Mr Langley, pointing towards bias against him or anything of that nature.
39. The panel considered each of the factual allegations in turn.
Head of charge 1 and sub-heads a), b), and c), is proved in its entirety.
40. The panel was satisfied that Mr Langley had knowingly recorded false information on case management systems for the three different service users referred to on the dates identified. In relation to service user KC, the panel examined the notes made by him for the date 17 December 2018 and 17 January 2019 in the bundle. And this is supported by entries in the bundle of papers relating to the council's disciplinary process. Mr Langley maintained that admission accepting that false information was recorded on 17 January 2018 but less unequivocally though still effectively in relation to 17 December 2018. Mr Langley said that he had no firm position to support in his defence in relation to that date. His memory was unclear and he had been persuaded that there was room for doubt about his recollections.
41. The panel looked closely at the records of an email dated 21 February 2018 following another social worker's visit to service user KC. This social worker identified a mismatch of visits to the service users made by Mr Langley and service user KC's mother. The service user's mother recalled that Mr Langley had not visited since before December 2018. The

mother was confident of her recollection and supported it by reference to a family wedding in December 2018 before Mr Langley had not been in contact. The social worker was concerned because the records were unreliable if the service user's mother's information was correct. Further, the panel observed that records and oral testimony confirmed that Mr Langley was on annual leave on 17 December 2018, and that he was noted to be shadowing a colleague in child mental health services, an area of practice that Mr Langley had expressed an interest in moving into. The panel was satisfied it was proved that Mr Langley had not visited on the days that he recorded in the council's Liquid Logic computer records.

42. In relation to service user LM the bundle has a record taken from Liquid Logic of April purported visit dated 21 December 2017 including entries made by Mr Langley under the heading 'presentation of child (and others if relevant)'. Mr Langley admitted that he had not conducted this home visit. Rather the service users' mother had met him at the council office and the arrangements for that meeting were recorded and provided in the bundle. Further Mr Langley now admits that this was not a home visit and he acknowledged that some of the information that he had recorded was not true. Mr Langley recorded a further visit dated 7 January 2019. This contains important information including details recorded under "significant points". Mr Langley also now accepts that this is a false record. The witness, TW, said she had to cancel a child in need meeting because the service user LM was poorly and unable to attend. Entries support this in the records bundle. Further, it was reported to TW by another social worker that service user LM's mother asserted that Mr Langley had not visited since before January 2019. TW spoke directly to another senior member of LM's family who supported this information. The panel considered this gave weight to Mr Langley submissions.
43. In respect of service user AY, the panel read the referral records in the bundle recording that the young person had been referred following a hospital visit to the accident and emergency department at Northern General Hospital on 3 January 2019. The hospital recorded a facial injury allegedly as a result of the young person being hit with a baseball bat. Four days later on 7 January 2019, two duty social workers visited the young person at home. The bundle contains the detailed record made by those social workers including a record of a searching discussion exploring the reasons for the young person being assaulted, the treatment offered, and the young person's physical presentation at that time. In line with the oral testimony of TW, the record support that this case was then allocated to Mr Langley for an assessment and home visit and the bundle contained the Liquid Logic entry headed case notes 29 January 2019 purporting to report the outcome of that home visit. The report is brief and lacking in detail compared to the earlier visit by Mr Langley's two colleagues. The panel considered that the only significant connection on the face of both records is that the family reported that matters had resolved and no further action need be taken. Mr Langley however later admitted that he had not undertaken his visit and the record contents that he created were fictitious. TW gave evidence that she checked this case with Mr Langley at a case progress review in February 2019. On that occasion, Mr

Langley maintained that he had conducted the visit but he gave inconsistent information regarding the injuries, which did not match the hospital record nor the observations made by his two social work colleagues.

The panel found head of charge 2 not proved.

44. The panel accepted the evidence of TW supported by the records in the council's investigation papers that the council had records of visits to service users on a number of dates in January and February 2019. A screenshot for the relevant calendar entries did not show those visits or the appointments for those service users. ABB's evidence was that it was expected that social workers would use the Outlook calendar as it is one of the principal means of recording contacts and of assisting social workers in planning and carrying out their duties. She explained that this deficit had been picked up earlier and that part of Mr Langley's previous performance improvement plan had been to routinely use the Outlook diary system. He appeared to understand this and pleasing progress had been made during that improvement plan phase.
45. Mr Langley admitted that he had not used the Outlook calendar properly although he explained that, and he accepted on reflection that fell below the standards expected of him. Mr Langley said that any visits not recorded on the calendar were ones carried out spontaneously whilst visiting other families and the opportunity to do so arose. He said that he had not been told that he should add such visits to the calendar retrospectively and it did not occur to him to do so. The panel was not satisfied that there was sufficient evidence to persuade it that Mr Langley had not kept accurate and/or contemporaneous records as a result of not making records in the Outlook calendar. In the panel's view, TW was unable to direct the panel's attention to any contemporary record or service standard requiring that the Outlook calendar would be used in all circumstances including those identified by Mr Langley. Although Mr Langley had admitted the head of charge, the panel took the view that his explanation had to be taken into account and that Social Work England had to discharge the burden of proof on balance of probabilities. The explanation put forward by Mr Langley had not been explored in any detail and the panel was unable to say from the records available to it or the testimony of either witness that the absence of records for the service users in January to February 2019 in Outlook was equivalent to him not keeping accurate and or contemporaneous records for those service users.

Head of charge 3; the panel did not find this head of charge proved.

46. The panel accepted that Mr Langley did not dispute that he had never carried out the visit referred to. Equally he did not dispute that there was no safety plan in place. ABB gave evidence explaining why, in her view, a safety plan had been necessary in the circumstances. In particular, she explained that if the incident resulting in the young person's facial injury was gang-related than not just the young person but the whole family might be at risk. It may be necessary to take urgent action, including rehousing immediately to protect the

family's younger members. In her view, although a safety plan was not automatic, it was standard practice and basic social work practice. Mr Langley would have understood that he was required to implement a safety plan for these reasons.

47. The panel looked closely at the records created by the two social work colleagues who had in fact attended the service user and his family on 7 January 2019. There was a very full and detailed explanation of all of the relevant issues. The detailed nature of the records made suggest that if a safety plan was required, those two social worker colleagues would have actioned that. The panel could not logically reconcile that Mr Langley was culpable in deliberately giving up the opportunity to visit and create a safety plan in circumstances where duty social work colleagues had not identified that such a plan should be implemented, and no criticism was made of them. Further, the records show that the severity of the incident relating to the young person had not been such that a section 47 child protection enquiry was not necessary, instead a more routine section 17 process of family support was put in place in the case allocated to Mr Langley. The panel considered that if a safety plan was an important feature of the follow-up with the service user, then the basis for it in the department's policies had not been clearly identified or supported. The panel was not satisfied on the balance of probabilities that the need for a safety plan had been made out and so could not find that Mr Langley had failed to safeguard the service user AY for that reason.

Head of charge 4 is proved in all of the sub-heads a) to e) inclusive.

48. The evidence fully supported that Mr Langley had never met service user AY. TW gave evidence about what was reported to her at the case supervision meeting she had with Mr Langley on 31 January 2019, at which she noted the information given to her by TW. The panel accepted TW's assessment that a significant amount of the information was untrue and fabricated by Mr Langley. Mr Langley had formally admitted that the head of charge was true in his response. He accepted that it was reasonable for TW to be satisfied that he had conducted the visit in order to provide her with the false details.

Head of charge 5 is found proved including in all of the sub-heads a) to c).

49. The panel applied the test for dishonesty set down by the Supreme Court in the Ivey case. The panel first determined what Mr Langley knew or must have known. He was the person who was responsible for recording the false information that he had conducted the home visits in head of charge 1. Mr Langley knew and now admits, that he gave TW false information regarding his non-existent home visit to service user AY. He knew that the detailed information he gave TW was a fabrication. He represented that information to be true to TW at the case management meeting on 31 January 2019.
50. The panel recognised that it must then determine whether Mr Langley's actions, based on what he then knew, was a dishonest thing to do by the standards of ordinary and decent

people. The panel had no doubt that Mr Langley's actions set out in this head of charge were dishonest by that standard.

Finding and reasons on grounds

51. Ms Atkin, on behalf of Social Work England, addressed the panel on misconduct and referred the panel to her statement of case.
- She referred the panel to the definition of "misconduct" in *Roylance v GMC* (No,2) [2000] 1 AC 311 as '*...misconduct, which is a word of general effect, meaning some act or omission which falls short of what was expected of a practitioner in the circumstances*'.
 - Submitted that, the allegations 1, 4 and 5 are particularly serious and are fundamental breaches of the standards that social workers are expected to uphold.
 - Falsifying visits are especially serious. The timescales for visits, within a few days of the referral, are intentionally short in order to protect child service users. Falsifying records and not carrying out home visits out visits created an impression that the child was well despite there being no contact with AY at all. This was a dangerous and unmanageable situation.
 - There was no evidence in KC's case that a home visit was ever done before February 2019. If Mr Langley's actions resulted in him being unable to recall which visits were false and which were not, that can clearly end up in a dangerous situation of uncertainty for the service user.
 - This was a series of incidents and not an isolated lapse.
 - Honesty is a fundamental requirement for a social worker.
 - Mr Langley admits misconduct.
52. The panel considered that Mr Langley's actions, were repeated and according to his explanation, intended to create space and time for him to cope with the demands of his job. He prioritised his needs over those of the service users that he had responsibility for. These were not isolated incidents. Service users were exposed to the potential for harm, unknown to the council which had wrongly been reassured that action was being taken or none was necessary. Mr Langley had created the potential for service users and families to lose trust and confidence in the council and in the profession by being cut adrift from the protection

offered by the council. There was dangerous scope for confusion and for the service users and their families to feel that their access to support and assistance was uncertain.

53. In this connection, the panel noted:
54. The definition of misconduct provided by Ms Atkin on the basis of *Roylance v GMC* (No,2) [2000] 1 AC 311 and endorsed by the Legal adviser;
55. Mr Langley's admission, in his submission to the panel, that the failures constituted misconduct.
56. The panel was of the view that Mr Langley's actions amounted to misconduct given that:
57. The conduct was a breach of the HCPC Standards of Proficiency Social Workers in England (9 January 2017):
- *1.5 be able to recognise signs of harm, abuse and neglect and know how to respond appropriately, including recognising situations which require immediate action;*
 - *8.2 be able to demonstrate effective and appropriate skills in communicating advice, instruction, information and professional opinion to colleagues, service users and carers.*
 - *10.1 be able to keep accurate, comprehensive, and comprehensible records in accordance with applicable legislation, protocols and guidelines;*
 - *10.2 recognise the need to manage records and all other information in accordance with applicable legislation, protocols, and guidelines.*
58. Mr Langley breached the HCPC Standards of Conduct. performance and ethics (2016):
- *9.1 you must make sure that your conduct justifies the public's trust and confidence in you and your profession.*
 - *10.1 You must keep full, clear and accurate records for everyone you care for, treat or provide other services to.*
 - *10.2 You must complete all records promptly and as soon as possible after providing care, treatment or other services.*
59. In addition, Mr Langley has breached the Council's Practice Standards for Practitioners, including section 5 'Working with Children/ Young People and Families Supported by a Child in Need (CIN) Plan'.

60. For these reasons, the panel determined that the grounds of misconduct have been established.

Finding and reasons on current impairment

61. Ms Atkin submitted that Mr Langley's fitness to practise is currently impaired, taking into account the need to protect the public and the wider public interest. She reminded the panel of the factors they should take into account set out in the Sanctions Guidance and the need to protect the public in its fullest sense. Ms Atkin submitted that Mr Langley's insight should be regarded as important but limited. She said that the limits of Mr Langley's insight were illustrated by his statement that when invited to consider the impact on service users, colleagues and the public he said '*...didn't want to think about it...*'.
62. Ms Atkin reminded the panel that the matters came to light by chance when a colleague conducted a visit to service user KC's family in Mr Langley's absence on leave when he had not arranged cover for his visits. Mr Langley's reflections should be seen as led by the council's findings in their internal disciplinary process and not as the result of a measured and meaningful personal examination by him. Ms Atkin pointed out that in her view, there was no attempt at remediation and so there was a high risk of Mr Langley repeating his misconduct with the attendant risks and possible harm to the public, his colleagues and the standing of the profession in England.
63. Mr Langley had submitted his own reflections in a statement dated 28 April 2021 and these were supplemented by submissions from his solicitor. Mr Langley wrote:

'Reflection

26. These proceedings have had a huge impact on my professional and personal life. On reflection I feel that the right thing to do is not work in this field again.

27. The actions that have led to these proceedings have been the biggest regret of my life. I wish I could change what happened. I understand it is my responsibility at the end of the day. I potentially put people at risk and I really struggled with that for a long time. I have been through several bouts of counselling in the last 10 years. My GP no longer has counselling services and it is too intimidating to go to a new counsellor so I haven't sought any further

support. I have also been on anti-depressants in the past (but not during these proceedings). I do suffer from general depression and anxiety I have got myself through this and I am in a better place now. Between February and May 2019 I was in a real mess. I didn't know what to do with myself. I didn't want to be anywhere near social work and so ended up doing jobs that I hated because I needed the money. I was not looking after myself at all.'

Mr Langley's solicitor wrote:

'There has never been any evidence that these allegations have impacted to the detriment to the service users Sheffield where NL has worked nor that any of the affected service users suffered actual harm.

Furthermore genuine attempts were made to visit the service users and in respect of one of the allegations a meeting did take place but not at the service users home as recorded. It is not accepted that the service users were simply ignored.

NL has shown insight and reflection into his behaviour. The Tribunal is referred to the admissions and comments made during the internal disciplinary proceedings and also his witness statement served in response to these proceedings (see paragraph 26).

It is submitted on behalf of NL that the likelihood of recurrence of similar behaviour is nil. Despite his passion for social work, NL has confirmed that he no longer intends to practice in this area (see NL witness statement, para 11).'

64. The panel accepted the legal adviser's advice. It considered Mr Langley's fitness to practise at today's date. It had regard to relevant passages in the Indicative Sanctions Guidance. It considered whether the conduct is remediable, whether it has been remedied and the current risk of repetition. It also considered the wider public interest and the guidance in the case of *CHRE v NMC and Grant* [2011] EWHC 927 that '*...the relevant panel should generally consider not only whether the practitioner continues to present a risk to members of the profession in his or her current role, but also whether the need to uphold proper professional standards and public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances*'.
65. The panel considered the level of Mr Langley's insight. The panel had real concerns in this regard. Mr Langley has not offered an apology to the families involved or to his professional colleagues. He gives some explanation for his actions but the panel considered that this fell far short of what was necessary in the circumstances. There was no reflection on the potential for risk to service users and their families. On the contrary, Mr Langley asserts through his solicitors that there was no evidence of harm. Other issues were important

however; the risks that arose from the loss of trust and confidence felt by families and service users, the risks that arose from the drift in case management, among others. Service user KC's grandmother had expressed some adverse impact on her trust in the council's response to her family's needs.

66. Mr Langley's reflections were, on the face of it, centred on the impact experienced by him. He did not wish to dwell on what others may have endured or the hardships faced by them. The panel was concerned that Mr Langley had not addressed the circumstances of his false report to his manager in AY's case. The panel noted that the case records made and expanded upon verbally by Mr Langley were examples of bewildering and concerning behaviour. Mr Langley said that the imagined home visits and records by him were in some bizarre fashion what he anticipated might have happened at one of his intended visits in the indeterminate future. Mr Langley showed only insight into the pressures on him which, in his view, created the circumstances in which the needs of service users and their families were entirely subordinate to the immediate needs of Mr Langley. He had not considered the impact on his colleagues, the profession, or the service users that he was responsible for other than to concede that he did not wish to think about the enormity of those matters.
67. The panel considered that there was no insight shown by Mr Langley into his dishonesty. He had shown no reflections on any form of plan or development that would be the starting point for re-building his professional integrity and personal honesty, difficult though that may be. There is no evidence that he could now or in the future act to guard against repetition or to protect service users. Mr Langley had previously been suspended on 26 September 2017 by the council and subject to the disciplinary investigation. The suspension was imposed because of '*...Serious concerns about your working practices and alleged neglect of duties within your role as a social worker that could have put service users at severe risk.*' Following the disciplinary investigation and subject to a performance management plan, Mr Langley returned to work on 23 January 2018. Mr Langley successfully exited the plan in August 2018 and almost immediately the matters which are the subject of this case occurred. The panel also noted that Mr Langley's ASYE period had been extended by six months.
68. The panel considered that the conduct is in theory remediable, but with difficulty. Dishonesty in particular is difficult to remediate as it so completely erodes the necessary trust and confidence that service users and their families, colleagues and the wider public must rightly demand from social workers in England. The panel could find no satisfactory approach to this issue in Mr Langley's reflections, creditable though his admissions were.
69. The panel considered the test for fitness to practise recommended in the case of *CHRE v Grant* [2011] EWHC 927 and decided that:
- Mr Langley has acted and is liable in the future to act so as to put a service user or service users at risk of harm.

- Mr Langley has in the past brought and is liable in the future to bring the profession into disrepute.
- Mr Langley has in the past and is liable in the future to breach one of the fundamental tenets of the profession (placing the needs of service users and their families above his own).
- Mr Langley has in the past brought and is liable in the future to act dishonestly.

70. The panel next considered the wider public interest considerations including the need to maintain confidence in the profession and to uphold proper professional standards.
71. The panel considered that informed members of the public would consider Mr Langley's actions to be entirely inappropriate and unacceptable. Members of the public would be concerned about the ongoing risk of repetition of Mr Langley's dishonesty which involves a real risk of harm to vulnerable service users. The panel determined that public confidence in the profession would be undermined if the panel did not conclude that Mr Langley's fitness to practise is impaired.
72. The panel also decided that a finding of impairment was required to mark the seriousness of Mr Langley's breach of the required standards for social workers, including the breach of fundamental tenets of the profession.
73. The panel found Mr Langley's fitness to practise is impaired having regard to the need to protect the public and the wider public interest considerations.

Decision on sanction

74. Ms Atkin referred the panel again to the Sanctions Guidance and submitted that the appropriate and proportionate sanction was a removal order. She submitted that given the panel's findings of current impairment, some form of restriction would be required, and expected by the public. She reminded the panel that paragraph 68 of the guidance suggests that where there is a current risk to the public it is reasonable to move beyond taking no action and other sanctions which do not protect the public.
75. Ms Atkin submitted that Mr Langley's actions demonstrated concerns regarding his character and in particular his honesty. In Mr Langley's own submissions he said that he had no immediate plans to return to social work practice. In the circumstances a conditions of practice order would not be appropriate. In any event, Ms Atkin said that conditions of practice would not be sufficient to protect the public and the circumstances of this case.
76. Ms Atkin reminded the panel that panels must work through the sanctions beginning with the least restrictive. Paragraph 103 of the guidance requires the panel to assess each case on its own merits. In the most serious cases this is likely to result in a removal order. Ms

Atkin took the panel to paragraph 109 of the guidance where it states that evidence of competence and professional practice cannot mitigate dishonesty.

77. All the panel accepted the legal adviser's advice. The panel had regard to the guidance and the need to act proportionately, balancing the need to protect the public and the wider public interest with Mr Langley's own interests. The panel considered the sanctions in ascending order of restrictiveness. The panel recognised that the purpose of a sanction is not to be punitive but primarily to protect members of the public, and if possible, to facilitate a return to safe and effective practice of a social worker. The panel understood that dishonesty, while viewed very seriously when considering sanction, does not automatically mean that it must make a removal order. The dishonesty must be considered in context.
78. The panel paid close regard to the submissions by Mr Langley's solicitors in relation to sanction, which read as follows:

'SUBMISSIONS ON SANCTION

1. *Neil Langley (NL) qualified with a degree in Social Work from Sheffield University in 2010. After qualifying, he held various positions, providing support to cared - for young people in the Sheffield area before joining Sheffield City Council (SCC) as a trainee social worker in 2012. NL has held a genuine and deeprooted desire to help the disadvantaged children and young people of Sheffield.*
2. *There have been no previous findings against NL by any regulatory body. It is accepted that there have been previous concerns over NL performance, the most recent being in 2017, which resulted in performance plans being put in place for NL. In both instances these were completed satisfactorily, and NL was allowed to return to work at SCC.*
3. *NL has been under investigation for over 2 years since the allegations first came to light in March 2019. It is submitted that this delay is a relevant factor for the tribunal to consider in its decision making. NL was suspended at the conclusion of those proceedings and has been prevented from working in SW sincethat time.*
4. *NL has admitted all allegations at the earliest opportunity and the tribunal is invited to give him credit for his admissions. NL further*

admits his actions amounted to dishonesty and that dishonesty has impaired his practice.

5. *There has never been any evidence that these allegations have impacted to the detriment to the service users Sheffield where NL has worked nor that any of the affected service users suffered actual harm.*
6. *Furthermore genuine attempts were made to visit the service users and in respect of one of the allegations a meeting did take place but not at the service users home as recorded. It is not accepted that the service users were simply ignored.*
7. *NL has shown insight and reflection into his behaviour. The Tribunal is referred to the admissions and comments made during the internal disciplinary proceedings and also his witness statement served in response to these proceedings (see paragraph 26).*
8. *It is submitted on behalf of NL that the likelihood of recurrence of similar behaviour is nil. Despite his passion for social work, NL has confirmed that he no longer intends to practice in this area (see NL witness statement, para 11).*

Case law

9. *The sanction imposed should be the minimum necessary to protect the public, including the wider public interest. Decision makers must therefore start with the lowest sanction and then move through the sanctions in ascending order of seriousness, stopping at the sanction that is sufficient to protect the public. The impact a sanction may have on a social worker's personal circumstances may have punitive or negative consequences, but this should not usually affect the assessment of the minimum sanction necessary to protect the public.*
10. *In the case of Choudhury v GMC [2002] UKPC 41 it was stated that **"The outcome imposed can have a punitive effect, however, and therefore should be no more than is necessary to satisfy the***

purpose of the proceedings". The tribunal should consider less severe outcomes before more severe outcomes (Giele v GMC [2005] 2143 (admin).

11. *In the case of Khan v GPhC [2017]1 WLR 136 SC the tribunal referred to GPhC sanctions guidance – "Mitigating Features –general".*

- *No prior disciplinary action,*
- *Genuine insight into misconduct,*
- *Open admissions at early stage,*
- *No actual or potential harm to patients or the public,*
- *Genuine expression of remorse to committee, and*
- *Steps taken to prevent recurrence.*

12. *In this case it is submitted that many of the mitigating features are applicable. There has been no previous internal disciplinary action other than previous internal proceedings.*

13. *NL has made early admissions and there has been no evidence of actual harm caused to service users. NL's statement is clear evidence of his remorse, and he is clear in his intent not to practice in social work again despite his passion for the work.*

14. *NL has admitted his wrongdoing at an early stage and has shown a good degree of development / remedial action to prevent the recurrence.*

15. *The tribunal is invited to impose as lenient sanction as it feels is necessary to protect the public and satisfy the wider public interest.'*

79. The panel was provided with a testimonial in support of Mr Langley's submissions. The panel considered it carefully but regarded it as having only limited weight.

80. The panel identified the following mitigating and aggravating features of this case:

Mitigating.

- Mr Langley asserts that he was subject to some personal stress and health issues, although those have not been supported by any medical or specialist reports.

Aggravating.

- Mr Langley's dishonesty was not an isolated event but was a continued course of conduct.
- Mr Langley's dishonesty had the potential for catastrophic consequences for vulnerable young service users.
- Mr Langley repeated again the professional shortcomings which had been identified in his extended probation year and more recent supportive programmes.

81. The panel considered the sanctions available beginning with the least serious. It held in mind that the options of taking no action, giving advice or a warning would not restrict Mr Langley's registration. The panel determined that the option of taking no action would be entirely insufficient because it would not protect the public nor address the wider public interest considerations. The option of giving advice or a warning would also be insufficient for the same reasons. The conduct in this case, where there is repeated and serious dishonesty, with very little mitigation meant that the sanctions of taking no action, giving advice or a warning would not sufficiently mark the seriousness of the misconduct.
82. The panel next considered the imposition of a conditions of practice order. Conditions of practice would not be workable as Mr Langley has not demonstrated any sufficient remorse or insight, which touches on the impact of his conduct on the service users concerned and the wider public. The panel could have no confidence that conditions of practice would be effective in protecting the public and in assisting Mr Langley to remediate his dishonesty. The panel noted that in any event, Mr Langley had been subject to workplace conditions which appear to be thorough and directly targeted at the practice issues identified in this case (though not dishonesty which was undiscovered at that time). Those workplace conditions appear to have been adhered to by Mr Langley and he was able to exit the process, seemingly able to practice safely and effectively. In the circumstances, the panel could not be confident that the public would be sufficiently protected by conditions of practice, even if conditions could be devised which engaged with Mr Langley's dishonesty.
83. The panel next considered a suspension order. The panel had regard to paragraph 92 of the guidance, which states that: "*Suspension orders can be imposed for a period of up to three years. Suspension is appropriate where no workable conditions can be formulated that can protect the public or the wider public interest, but where the case falls short of requiring removal from the register or where removal is not an option*". The panel noted that Mr Langley states that he does not currently intend to return to social work practice in the future. However, he could do so if he were to change his mind. The panel considered that if Mr Langley were to return to unrestricted practice, he would pose a significant risk to the public.

84. In considering whether a suspension order was the appropriate and proportionate outcome, the panel took into account that Mr Langley had already been suspended from practice by his employer for a period of time. A subsequent improvement plan was put in place precisely in order to assist him in making a safe and effective return to practice. The workplace suspension had not achieved the desired result, even in regard to professional practice, far less in assisting Mr Langley to identify that the needs of service users and the safety of the public must come first in his professional practice.
85. In this case, despite a period of suspension in another context, Mr Langley's poor professional practice had not materially improved once he was no longer subject to close supervision. The panel considered that once Mr Langley had returned to independent practice he very quickly began to fail. When under pressure, for the reasons set out by Mr Langley, he did not seek the assistance and support that he would be expected to do so as a social worker. His fear of censure and a further return to a supervisory process appeared to be the dominant factors in his thinking. Mr Langley then opted to secure his own interests at the expense of the service users and families entrusted to his care by avoiding undertaking his duties, creating false records as though he had visited, and then expanding verbally on those records with an entirely fictitious account of events. The panel recognised that not every episode of dishonesty would end a social worker's professional career. The context in which the dishonesty took place must be considered carefully.
86. In this case, when the panel considered the context of Mr Langley's dishonesty there were no redeeming features which suggested that he had acted other than to further his own interests even in the face of the obvious dangers and risks to vulnerable young service users. Further, as set out above, the criticisms of Mr Langley's insight continued to weigh heavily. Mr Langley has not taken up the opportunity to identify a means of repairing the damage to his professional reputation and the wider harm of diminished trust and confidence in the social work profession by service users, their families and the wider public. In the circumstances the panel found that it could not sufficiently protect the public by imposing a suspension order, no matter the length of such an order.
87. Having conducted a careful balancing exercise, the panel came to the view that the only appropriate and proportionate order was a removal order. In coming to this view, the panel paid careful regard to paragraph 97 of the guidance which states that: "a removal order must be made where the adjudicators conclude that no other outcome would be sufficient to protect the public, maintain confidence in the profession or maintain proper professional standards for social workers in England."
88. As set out above, Mr Langley embarked on a course of conduct which had grave implications for the safety of vulnerable young service users, their families, and the confidence which the wider public must have in the profession. Knowing that he was again failing to meet the standards required of him professionally and the standards set by the council, Mr Langley did not take any of the routes open to him to protect the service users in his care or to

support his professional colleagues. Instead, he crafted a scheme where he could avoid carrying out home visits, covering his tracks by making false entries and then expanding imaginatively and falsely on what had allegedly occurred in those non-existent home visits. Mr Langley asserted that he intended to buy time in order to accommodate his personal difficulties and would later carry out the required visits. Mr Langley did not address how such a scheme could have been possible in circumstances where he was not coping with his already light and non-complex caseload. The panel could not identify from anything written by Mr Langley or his professional advisers how he would have found time to correct his misconduct and at the same time maintain the case load demands fully and safely. Mr Langley did not even identify a time when he would begin the rectification scheme, on the assumption that that was even possible. The panel was left with the impression that Mr Langley's dishonesty extended even to an inability to cope honestly with his own failings.

89. For the reasons set out above, the panel concluded that a removal order is required to protect the public. Further, in all the circumstances, a removal order is also required to maintain public confidence in the profession and to maintain proper professional standards for social workers in England.

Interim order

90. Ms Atkin made an application under Schedule 2 paragraph 11(1)(b) of the Regulations for an interim order of suspension to cover the appeal period before the substantive order comes into effect, or if Mr Langley appeals, until such time as the appeal is withdrawn or disposed of. Ms Atkin made the application on the ground of public protection, which includes promoting public confidence in the profession and maintaining proper professional standards.
91. Having heard and accepted the advice of the legal adviser, the panel was satisfied that an interim order was necessary to protect the public for the same reasons as set out in the substantive decision, particularly having regard to the high risk of repetition and the consequent real risk of significant harm to service users. Given the panel's findings in relation to the nature of the misconduct and the risk of recurrence, serious damage would be caused to public confidence if no interim order were to be in place and standards would not be upheld. An interim order was therefore also required to promote and maintain public confidence in the profession and maintain standards for the same reasons as set out in the substantive decision.
92. The panel next considered what type of interim order to impose. For the same reasons as set out in the substantive decision, the panel considered that there were no workable conditions, and that conditions of practice would not be sufficient to protect the public and address the wider public interest considerations.

93. In all the circumstances, the panel decided to make an interim suspension order for a period of 18 months. In deciding on this length of interim order (which will expire if no appeal is taken), it took account of the time that it might take for an appeal to be finally disposed of.
94. The panel took into account the principle of proportionality and acknowledged that this interim order will prevent Mr Langley from working as a social worker. However, the panel determined that the need to protect the public outweighed Mr Langley's interests.

Right of Appeal

95. 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.
96. 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.
97. 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.
98. 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

99. 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.

100. 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.