



Social worker: Philip Langlands

Registration number: SW108544

Fitness to practise: Final hearing

Dates of hearing: 24-27 May 2021 and 8-9 September 2021

Hearing Venue: 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 (the regulations). The procedure for the hearing is governed by the Social Work England (Fitness to Practise) Rules 2019. The hearing will consider two cases under reference numbers FTP-65837 and FTP-62301, which have been joined in the direction of adjudicators dated 11 May 2021.
2. Mr Langlands (the social worker) did not attend and was not represented.
3. Mr Jeremy Loran of Capsticks LLP represented Social Work England.

Adjudicators	Role
Clive Powell	Chair
Jill Wells	Social Worker Adjudicator
Jacqueline Nicholson	Lay Adjudicator

Natasha Quainoo/Simone Ferris	Hearings Officer
Kathryn Tinsley	Hearing Support Officer
Gerry Coll	Legal Adviser

Service of Notice:

4. Mr Langlands did not attend and was not represented. The panel of adjudicators (the panel) was informed by Mr Loran that notice of this hearing was sent on 23 April 2021 to Mr Langlands through his Social Work England portal and by special recorded delivery to his address on the Social Work Register (the register). Mr Loran submitted that the notice of this hearing had been duly served.
5. The panel accepted the advice of the legal adviser about the service of notice.
6. The panel had regard rules 14, 15, 44 and 45. The panel took into account all of the information provided to it concerning the service of notice. The panel concluded that it was satisfied that notice of this hearing had been served on Mr Langlands under the rules.

Proceeding in the absence of Mr Langlands:

7. The panel heard the submissions of Mr Loran on behalf of Social Work England. Mr Loran submitted that notice of this hearing had been duly served, that Mr Langlands had made no application for an adjournment. As such, no guarantee that adjourning today's proceedings would secure his attendance. Mr Loran further submitted that delivery of the notice and papers was confirmed by Mr Langlands' signature of receipt on 30 April 2021. Mr Langlands submitted an email referred to below dated 19 May 2021 in which he consciously and voluntarily waived his right to attend and any objections to proceeding in his absence. Mr Loran, therefore, invited the panel to proceed in the interests of justice and the expeditious disposal of this hearing.
8. The panel accepted the legal adviser's advice about the factors it should consider when considering this application. This included reference to rule 43 of the rules and 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 Mr Loran on behalf of Social Work England. The panel had regard to the email by Mr Langlands dated 19 May 2021 at 09:07hrs where he said, '*Hi Jonathon, thanks for your emails. I can confirm that I will not be attending the hearing and am happy for it to go ahead in my absence.*' The panel held in mind that Mr Langlands had submitted a written response to both cases joined for this hearing instead of his attendance. The panel considered that all reasonable steps had been taken within the rules to notify Mr Langlands of the date, time, and place of the hearing, how he could participate effectively, and the potential adverse consequences of not participating.
10. The panel, therefore, concluded that Mr Langlands had chosen voluntarily to absent himself from these proceedings. The panel had no reason to believe that an adjournment would result in Mr Langlands' attendance. Having weighed the interests of Mr Langlands regarding his attendance at the hearing with those of Social Work England and the public interest in expeditiously disposing of this hearing, the panel determined to proceed in Mr Langlands' absence.

Allegations

11. The allegations of the conjoined cases which were amended as noted below in bold type as permitted under the preliminary matters discussed below, are as follows;

Case 1: FTP-65837

While registered with the Health and Care Professions Council as a social worker and working for Active Independence, you

1. ~~On or around 05 April 2018, you:~~

~~a) allowed a~~ **In relation to Student A, you to:**

~~i) have unauthorised access to Active Independence Service User database on the Drop Box filing system; [OFFER NO EVIDENCE]~~

~~ii) a) caused or permitted the student to visit Service User G~~ **without obtaining and/or recording the Service User's prior consent;**

~~iii) b) caused or permitted Service User G to believe that Student A would represent her at her tribunal;~~

c) caused or permitted Student A to write to a Service User K in her own name, on or around 5 April 2018.

2. Did not effectively manage the following cases in that you did not progress the cases **and/or record steps taken to progress the cases**, and ~~/ or close the cases in a timely manner:~~

~~a) Service User B between 26 February 2018 and 18 May~~ **20 April 2018;**

~~b) did not visit Service User B in a timely manner in that you waited between 26 February 2018 and 23 March 2018; [Duplicates the allegation at 2a – OFFER NO EVIDENCE]~~

~~c) b) Service User C between 13 October 2017 and 18 May~~ **20 April 2018;**

~~d) c) Service User D between 22 March 2018 and 18 May~~ **20 April 2018;**

~~e) d) Service User E between 15 February 2018 and 18 May~~ **20 April 2018;**

~~f) e) Service User F between:~~

i. 10 May 2017 and July 2017 and/or

ii. 15 December 2017 and 18 May **20 April 2018;**

~~g) f) Service User G between 22 March 2018 and 18 May~~ **20 April 2018;**

~~h) g) Service User H between 15 March 2018 and 18 May~~ **20 April 2018;**

~~i) h) Service User I between 20 March 2018 and 18 May~~ **20 April 2018;**

~~j) i) Service User J between 22 March 2018 and 18 May~~ **20 April 2018;**

~~k) j) Service User K between 22 March 2018 and 18 May~~ **20 April 2018;**

~~l) k) Service User L between February 2018 and 18 May~~ **20 April 2018;**

~~m) l) Service User M between October 2018 and 18 May~~ **20 April 2018**

~~n) m) Service User N between 15 March~~ **28 December 2017 and 18 May** **20 April 2018;**

~~o) n) Service User O between 29 March~~ **20 April and 18** **14 May 2018;**

~~p) o) Service User P between 22 April 2018 and 18~~ **10 May 2018;**

~~r) Service User Q on or around~~ **between 15 March and 10 May 2018.**

3. *On 24 May 2018, you behaved in an intimidating and/or unprofessional manner towards Person R.*
4. *The matters described in particulars 1 – 2 constitute misconduct and/or lack of competence.*
5. *The matters described in particular 3 constitute misconduct.*
6. *By reason of your misconduct and/or lack of competence your fitness to practise is impaired.*

Case2: FTP-62301

While registered with the Health and Care Professions Council as a social worker, you:

1. *On 11 June 2018, were convicted at Nottinghamshire Magistrates' Court of assault of Person A by beating contrary to section 39 of the Criminal Justice Act 1988.*
2. *Did not promptly disclose to Active Independence:*
 - a) *that you were involved with the police and/or*
 - b) *the incident of alleged domestic violence*
3. *The matters set out in paragraph 2 constitutes misconduct.*
4. *By reason of your misconduct, your fitness to practise is impaired.*
5. *By reason of your conviction your fitness to practise as a social worker is impaired.*

Background

Case 1.

12. The background and circumstances of the respective cases leading to the allegations in each are set out in the Statement of Case (as amended on 18 May 2021) as follows:

'Background

- (1) *On 18 May 2018, the Health and Care Professions Council (HCPC) received information regarding the Respondent social worker, Philip Langland ("the social worker") from his employer, Active Independence (AI). AI is a small charity based in Doncaster that provides advocacy, information,*

advice, and training to disabled and vulnerable people and their families on health and social care issues.

- (2) Mr Langlands had been employed by Active Independence ('the employer') as an 'Advocate' from 2016 and had a varied case load. The role did not require registration as a social worker, however, the skills required are similar and the employer would tend to allocate cases with a strong focus on health and social care issues to Mr Langland.*
- (3) When a case is received, BB, the founder would allocate the case to an advocate. BB explains that there was an expectation that the advocate would make contact with the client within a couple of days by telephone and then arrange a home visit within a week. They would then discuss the needs and take the matters forward. The advocates were required to complete time sheets for each client contact including telephone calls and face to face meetings.*
- (4) Mr Langland had been successfully working for AI until December 2017 when concerns were raised about his performance. No action was taken at this stage, however, in March 2018 an allegation of assault was made, which was reported to BB by Rotherham Borough Council, by whom a number of AI's clients were referred. Following a discussion with BB, it was agreed that Mr Langland would have some time away from work while this allegation was fully resolved, however, he was to continue to manage his case load from home. This would involve continued contact with clients over the phone, although he was not expected to conduct any face to face client meetings.*
- (5) In or around May 2018, Mr Langland is said to have contacted BB and raised concerns over his mental health. On 10 May 2018, it was decided that his case load would be taken back, and a review of his cases was conducted. This review is said to have revealed significant concerns, in that the time sheets demonstrated that numerous clients had not been contacted for long periods or in some cases at all. This is the basis for allegation 2.*
- (6) In addition BB discovered that Mr Langland had apparently allowed a student (Student A), that was shadowing him, to write to service user G and within that letter it was stated that Student A was going to support service user G at her tribunal hearing. BB states that this was inappropriate because she had no authority to act on behalf of the company and furthermore, she had not undergone any training.*

- (7) [PRIVATE]. Mr Langland is said to have stood close to Person R when handing over confidential papers. Following a discussion in which Person R had attempted to refuse the paperwork, Mr Langland is said to have suggested there was going to be 'big trouble' due to 'data protection issues' for AI. Person R states that Mr Langland came across as 'very threatening' and he felt that Mr Langland was making a threat of some sort of serious professional issue for those involved with AI. [PRIVATE]

Case 2.

- (1) 'On 11 June 2018 Mr Philip Langland, the Respondent social worker, appeared at Nottingham Magistrates Court and was convicted of 'assault by beating, contrary to S39 of the CJA 1988. He was sentenced to a community order, with a 'Rehabilitation Activity Requirement' of up to 10 days, in addition to an unpaid work requirement of 100 hours to be conducted within 12 months. The conviction arises from an incident that occurred on Christmas Eve (24 December 2017) [PRIVATE].
- (2) At the time of the assault Mr Langland was employed by Active Independence, a small charity that supports disabled individuals and their families to lead independent lives. Mr Langland was employed as an 'Advocate' and was responsible for supporting disabled individuals with long term complex conditions and their families. It is further alleged that Mr Langland did not promptly disclose the fact of the incident which heard [sic] to his conviction, to his employer, Active Independence.
- (3) In respect of the conviction, Social Work England will rely upon the memorandum of conviction as conclusive proof of the conviction and will rely on the police statements and MG5 to provide the background information to support that conviction. In respect of the allegation around an alleged failure to promptly inform his employer of the incident Social Work England will call evidence from BB, Project Coordinator for Active Independence:
- (4) BB provides evidence of how she came to know of the incident that occurred on Christmas Eve and which heard to Mr Langland's subsequent conviction. She explains that Mr Langland had not informed her and that she considers he should have done at an earlier opportunity. BB states in paragraph 9 of her statement that although his Consultant Agreement did not expressly obligate him to disclose his involvement with the police, he should have informed her of the matter. She explains that the Company work with vulnerable adults and all advocates working for them are required to have enhanced DBS checks, and therefore she considers it reasonable to expect Mr Langland to have informed her of the incident involving the police.'

Preliminary matters

First application

13. An application was made at the outset of the hearing by Mr Loran to (i) amend certain of the allegations and (ii) to offer no evidence regarding a select few of the allegations. Mr Loran explained that the proposed amendments had been disclosed in good time to Mr Langlands, who had not advised Social Work England of an objection to that. Mr Loran said that the purpose of the amendments was to tighten and limit the evidence in certain respects and better reflect the proposed evidence that he anticipated being heard. In Mr Loran's submission, there was no unfairness or other prejudice to Mr Langland's in the charges being amended as proposed. Mr Loran said that the panel could accept the application to offer no evidence because it was limited in scope and had the effect of removing duplication in the charges and did not diminish the seriousness of what remained. He reminded the panel of the principles to take into account set out by the High Court in the case of *PSA v NMC and X* [2018] EWHC 70 (Admin). The panel accepted the legal adviser's advice that it had the power to amend the charges under rule 32. The panel considered that the amendments would be fair.
14. Further, the panel was satisfied that it was fair to Social Work England and to Mr Langlands to permit no evidence to be offered in the limited way proposed by Mr Loran. The panel considered that its ability to protect the public by ensuring full and open consideration of all of the issues was undiminished by excluding duplicated charges. In all the circumstances, the application to (first) amend and (second) offer no evidence was granted.

Second application

15. Mr Loran moved for parts of the hearing to be conducted in private where they touched on the health or private life of Mr Langlands or any witness. The panel accepted the legal advice provided by the legal adviser concerning the panel's powers under rule 38(a) of the Social Work England Fitness to Practise Rules. The panel determined that any matters of health, personal or private nature arising during the hearing should be conducted in private to protect the interests of Mr Langlands, members of his family and any witness.

Third application

16. Mr Loran applied on 25 May 2021 to introduce a witness anonymity key that had become detached from Exhibit 5, the client records audit. The audit contained the actual names of the clients but no key to link them to the heads of charge in case 1, charge 2. It was essential to have the key to link the evidence heard regarding each

head of the charge and the documentary support for the evidence provided by the audit. Mr Loran explained that when Social Work England made email contact with Mr Langlands regarding this application, he did not object to the key being introduced, although he had not seen it before. Mr Loran said that the late document did not cause prejudice to Mr Langlands. The panel accepted the legal adviser's advice that the panel could accept the late document if it were fair to do so under rule 32. The panel carefully considered whether the case on paper offered by Mr Langlands was materially affected adversely by the key. It considered whether his case might have been taken differently by him had he seen the key earlier. Mr Langlands said in an email that he would not. The panel concluded that there was no actual prejudice to Mr Langlands in the key being accepted into evidence, and so allowed Mr Loran's application.

Admissions/Agreed Facts:

17. Rule 32 (c)(i)(a) requires a panel first to determine any disputed facts. The Allegations in cases 1 and 2 were treated as having been read into the transcript at the outset of the hearing. The panel was informed that Mr Langlands denied case 1 charges 1 to 6 (FTP-65837). Regarding case 2, Mr Langlands admitted that he had been convicted as alleged in case 2 (FTP-62301) charge 1. He denied charge 2.

Summary of Evidence

- i) Social Work England relied upon the evidence of three witnesses who provided signed written statements. The witnesses attended the hearing and gave evidence under affirmation and were subject to questioning by Mr Loran and by the panel. Social Work England also relied on the contents of a hearing bundle which included the following documents:
 - the Statements of Case for both cases consisting of 9 pages and 1 page respectively;
 - the Witness statements bundle consisting of 50 pages;
 - the Exhibits bundle consisting of 136 pages;
 - the Service bundle consisting of 36 pages;
 - updated service bundle and additional documents consisting of 23 pages; and
 - a factual background and chronology consisting of 3 pages;
- ii) Mr Langlands submitted a response bundle of 10 pages.

Finding and reasons on facts

18. Mr Loran called evidence from three witnesses:

1. JR, founder, trustee, and also self-employed Advocate for AI, specialising in complex welfare benefits appeals;
2. BB, founder and trustee of AI, service manager;
3. Person R.

19. JR impressed the panel as a straightforward and helpful witness. She had been a fellow advocate at the time of these events and understood the demands and constraints of the job, although she was focused on complex welfare rights appeals rather than social care issues. She did her best to assist the panel. JR was limited in what she could discuss because her involvement in these matters mainly arose after Mr Langlands' termination from AI. She commented positively on how good an advocate Mr Langlands had been before these events. She gave fair and balanced evidence and made reasonable concessions when necessary, including accepting that service user G could have been confused or mistaken that Student A had undertaken to represent her at an appeal. JR provided supportive evidence regarding allegations 1 and 2 because she conducted the file reviews alongside BB and explained the concerns identified regarding Mr Langlands alleged failure to progress cases.

20. BB was found by the panel to be a credible witness. However, she was not always reliable, and her evidence suffered by how she responded to questions by Mr Loran and the panel. She elaborated when asked simple questions and had difficulty remaining focussed on the question asked in the way that she gave evidence. BB was passionate about AI that she had helped to establish and develop. It was clear that AI's reputation was very important to her. She insisted that the standard and quality of the records kept by the service and relied upon by her to assert Mr Langland's failings were of the highest standard. The essential elements of much of her evidence was that the records were a complete reflection of work done or not done, and she declined to accept the deficiencies in the records systems. BB appeared to place value in the advocate agreement to support her perception of Mr Langlands' alleged breach of duties of disclosure of the assault matter and professionalism in allowing Student A to misrepresent her status. However, it became clear that the agreement was an off-the-shelf model agreement that had been adopted uncritically when the trust was created. In one passage of evidence, it became clear that she only then, for the first time, understood the significance of a centrally important clause in the context of this case. She conceded that she might not have read the

clause at all until that point. After this, despite the opportunity to refine her evidence in a balanced and measured way in the light of that passage of evidence, she maintained her stance; that the audit of client records (In reality, timesheets) disclosed a damaging and indefensible pattern of inactivity by Mr Langlands. She appeared unwilling or unable to accept that the purported misrepresentation of Student A's position had another, more straightforward, explanation.

21. Person R attended by telephone. He impressed the panel as a credible and reliable witness who gave his evidence in a balanced way. He did not inflate the account of his interaction with Mr Langlands [PRIVATE] on 24 May.
22. Mr Langlands did not take the opportunity to appear as a witness. He, therefore, offered no evidence which could be weighed or valued as the witnesses called by Social Work England. However, he had submitted a bundle of papers containing his written response. The written response appeared to be reasoned, and in parts, it was supported by the testimony of JR. It seemed to accord well with the documentary records produced, although it was at odds with the witness statements presented by Social Work England. Mr Langlands accepted his conviction and explained his case.
23. The panel determined to consider the evidence in case 1 before proceeding to case 2.

Case 1. Charge 1.

24. Charge 1 regarding Student A; a) proved only to the extent of not recording consent, b) was not proved, and c) was proved.
25. BB gave evidence that Student A was a social work professional practice student who was attached on placement to Mr Langlands as part of her training in early 2018. Mr Langlands had obtained BB verbal consent for Student A to shadow him during his work. BB evidence was that Student A was not associated in any way with AI, to the extent that BB was not aware if the student was on placement from a University or whether there was a written agreement in place. She had not had any meeting with Student A about the placement prior to her starting. BB did not have contact details for Student A.
26. Student A's role was observation and learning although BB later conceded that she agreed to the student conducting administration duties and possibly 'light touch work'. In the course of conducting the files audit with JR, BB found a letter on AI headed paper addressed to service user K and signed by Student A. BB concluded that Mr Langlands had given student A the headed paper, or he permitted Student A to access the Dropbox case files depository. BB was concerned that she had not

given permission for Student A to act on AI's behalf in this way. She explained that it would have been acceptable for Student A to write the letter under Mr Langlands' supervision but the letter should have been signed by him. Mr Langlands, in his written response, said that Student A had drafted and signed the letter to service user K under his direct supervision.

27. BB further believed that Student A had visited service user G on her own and without supervision and that the student was planning to represent the service user G at a tribunal. BB could not find formal consent from service user G for any of this either on file or noted as an entry on the relevant timesheet.
28. The panel did not agree with BB conclusions which, in the panel's view, amounted to nothing more than an assumption based on the existence of the letter. It was an inherently improbable thing to have happened, given the student's limited reason for shadowing Mr Langlands.
29. The panel had regard to the letter, which was addressed to service user K and signed by Student A with her own name and designation as a professional practice student. In the panel's view, nothing in the letter supported any inference that Student A had acted alone and unsupervised.
30. In relation to service user G, there was no reliable evidence before the panel to show that Student A had visited service user G alone or had gone beyond her learning role and agreed to represent that service user at a tribunal. Mr Langlands said that Student A had accompanied him on a home visit to service user G. Service user G had given verbal consent to Student A being present.
31. Service user G had told JR that he believed that the student was his advocate, but nothing was produced to support that interpretation. JR gave evidence that service user G could well have been confused or mistaken. The commercial agreement between AI and Mr Langlands expressly permitted Mr Langlands to secure the assistance of any additional person or resources necessary to carry out his role. The panel accepted Mr Langlands' written explanation in relation to these events.
32. Regarding consent, the panel considered that there was no evidence to contradict Mr Langland's assertion that service user G had given verbal consent to the limited participation of Student A to shadow and observe during the home visit.
33. The panel accepted that service user G's consent should have been recorded but was not. The panel found this head of the charge proved only to the extent that Mr Langlands had not recorded service user G's verbal consent.

Case 1. Charge 2.

34. JR and BB both gave evidence about what advocates such as Mr Langlands, were expected to do in order to progress service user's cases. Mr Langlands was a self-employed advocate whose payment was based on the time legitimately spent in progressing a client's case. In December 2017, AI began a pilot project with Rotherham Borough Council (the council) where advocates were required to take up a desk in the council's offices as part of the Single Point of Access (SPA) contract between the council and AI. Mr Langlands was referred cases linked to social care welfare benefits claims including appeals.
35. JR and BB explained the AI system of managing the progress of cases. BB would place a case on a spreadsheet and allocate a case to an advocate by email or text. She said that she would usually receive an email or emoji 'thumbs up' text in response. She would then open a file on the system and place a cover sheet and timesheet in the file. She also described checking the timesheets regularly for progression of each case. The timesheet was used by advocates to record details of the work undertaken with a service user as well as to record the time spent undertaking the work. BB explained that there would also have been notes completed by advocates that were held by them. BB stated that all her work took place from her home and said that there were monthly meetings at which advocates met with her and JR, where possible, at BB's home.
36. The panel heard that the monthly meetings, at times, were less regular and were partly supervision meetings to ensure that cases were being progressed, and notes were made on spreadsheets produced for this purpose for BB and others. BB explained in some detail her perception of the robustness of this procedure as a means of monitoring the progress of the work. She was unable to explain why any case would not be identified as being overlooked or not progressed, if the system worked in the way that she explained. JR said that when dealing with welfare benefits appeals, it was expected that cases would not progress until responses had been received from the Department for Work and Pensions which may take up to three months. However, BB expected advocates to make contact with service users at a minimum, monthly. She admitted that there was not a written procedure regarding this.
37. BB and JR said in evidence that Mr Langland's approach to his work had materially changed after December 2017. He appeared to become inattentive. He appeared to be distracted and did not devote himself to clients' cases as he previously had. The witnesses said that in order to support Mr Langlands, it had been agreed that from March 2018, he would not conduct home visits and should work only from home and contact clients only by telephone. He was expected to continue to progress cases and update records. Mr Langlands was told not to take on any new clients. In April

2018 Mr Langlands original agreement was terminated and a different agreement (which was not produced to the panel) was entered into, which further restricted Mr Langlands responsibilities. The witnesses said that Mr Langlands ability to function effectively did not improve. Mr Langlands' engagement with AI was ultimately terminated in May 2018.

38. Mr Langlands case records were the subject of the audit produced that Exhibit 5 undertaken by JR and BB. This formed the basis of many of BB's criticisms of Mr Langlands progress of service users' cases. However, it was retrospectively, and, in the panel's view, not always objectively, with a number of assumptions stated as fact.
39. Mr Langlands' understanding from correspondence and meetings with BB was such that he should cease all work with clients apart from updating case notes as of 23 March 2018. This was until a meeting on 20 April 2018 where he received a small number of cases. He explained that he attempted to continue to work but did not feel able to do so and informed AI as soon as he felt unable to continue. He therefore disputed allegations relating to lack of progress of cases from around 23 March 2018 onwards.
40. Service user B. The panel found this head of charge proved in relation to lack of recording but not in relation to a lack of progressing the case. Mr Langlands explained that he was waiting for a social worker to organise a date to visit with this client. The panel accepted this explanation; however, he should have recorded this detail.
41. Service user C. The panel found this head of charge proved to the extent that Mr Langlands had not recorded his actions in this case.
42. Service user C was last contacted in March 2018, and the panel found it difficult to ascertain what is alleged to have been left undone. Mr Langlands recorded that in October 2017 he conducted a home visit to discuss the need to progress a late appeal. Mr Langlands did not remember this case. The papers showed a large gap without action as supported by Exhibit 7, the relevant time sheet. However, the panel considered that if this case was one of the cases looked closely at by the supervising managers in the monthly meetings, any apparent lack of progress must have had a reasonable explanation at that time in order to justify the long period of seeming inactivity. An inference can be drawn that on 13 October 2017, Mr Langlands agreed to submit a form and take other steps to progress an appeal. There is no further record in support of that work having been done and nothing suggesting any follow-up or pursuit of the case. The panel noted that DWP had reinstated the particular benefit which was the subject of the appeal. The panel

considered that this had not been achieved without assistance from Mr Langlands. He had not recorded his work, however. The panel considered that BB had inadvertently conflated a related but different matter linked to service user C's partner. To the extent that that matter existed, it was not relevant to prove the issues linked to service user C.

43. Service user D. The panel found this matter proved in both respects. Mr Langlands accepts in his written response that he did not send an attendance allowance form to service user D. He had not progressed the case and had not made relevant recording entries.
44. Service user E. The panel found this head of charge not proved in either respect. The deficiencies in the referral system were an issue for the panel. The head of charge could only be found proved if the panel could be satisfied that the case had properly been referred and accepted by Mr Langlands. Otherwise he had no responsibility for the matter. The timesheet stated 'refer to Phil' but there was no evidence that Mr Langlands was sent or received this referral. The panel was not assisted by BB's evidence to the contrary, which was not supported by contemporaneous records available. Without contemporaneous evidence to show receipt of the referral by Mr Langlands the panel cannot conclude that this case was allocated to him. Mr Langlands' position was that BB did on occasion overlook referring a case to an advocate.
45. Service user F. The panel found this head of charge not proved. There was no evidence before the panel that service user F's case was referred to Mr Langlands within the dates identified in the head of charge. The panel observed that this person's records were not part of the files audit prepared by JR and BB.
46. Service user G. The panel found that this head of charge was proved by what amounted to an admission by Mr Langlands in his written response in relation both to progress and recording. The case had been referred jointly to Mr Langlands and to another advocate and the case records show that some progress was being made while waiting for a DWP response. The panel considered whether it could be persuaded on balance of probabilities that the apparent long gap in contact with the service user and either advocate in 2017 was the equivalent of in action. The panel observed that the time period coincided with Mr Langlands restrictions in work duties including not contacting clients. However on 2 March 2018 Mr Langlands records that he would follow-up in April, but he did not.
47. Service user H. The panel found this head of charge not proved for the same reasons as with service user E.

48. Service user I. The panel found this head of charge not proved for the same reasons as with service user E.
49. Service user J. The panel found this head of charge not proved for the same reasons as with service user E.
50. Service user K. The panel found this head of charge not proved. The panel was satisfied that there was insufficient evidence to suggest that Mr Langlands had not progressed this case appropriately. The panel observed Mr Langlands had drafted a letter and sent it to the service user on 22 March 2018 to sign and submit to DWP. The panel was not persuaded that the oral evidence took them further in this matter.
51. Service user L. The panel found this head of charge proved. Mr Langlands completed a letter requiring a mandatory benefits reconsideration decision. JR identified, from her own expertise, that service user L had lost entitlement to disability living allowance but was not at that time due to his age, entitled to another form of benefit. Later efforts by BB and JR to contact the service user and the service user's mother were unsuccessful which led to the (unjustified in the panel's view) conclusion that the service user must have obtained the outcome desired. The panel was satisfied that the papers show an absence of activity for a period of 6 to 8 weeks for submission of an application for benefit. While the period appears to stray into the suspension period, the panel found that in the circumstances of this case it was proved by the records that Mr Langlands had not effectively progressed the case and had not made sufficient records.
52. Service user M. The panel found this head of charge not proved. The panel found this head of charge not simple to resolve. Service user M could not become a client of AI because the person resided out of the operating area of AI. The panel therefore concluded however that this case was not a client of AI.
53. Service user N. The panel found this head of charge not proved. Service user N was facing a deadline for a PIP application. The records supported that Mr Langlands had made a home visit to her on 18 January 2018 and had called on 15 March 2018. It appeared that there was no answer. There was no further contact from service user N. The panel was not satisfied that Mr Langlands had not recorded or not advanced service user N's case, particularly regarding the attempts recorded to contact the service user unsuccessfully.
54. Service user O. The panel found this head of charge not proved. The panel noted that the case was said to have been allocated to Mr Langlands on 15 April 2018. Mr Langlands says it was not clear to him that the case had been referred to him. In the

panel's view, the contemporary papers were insufficiently specific to satisfy the panel that Mr Langlands had been given responsibility for service user O's case. The first note of this case coincides with the period when Mr Langlands first agreement with AI had been ended. The second agreement was not part of the evidence. The panel was not satisfied that it had sufficient evidence to support the conclusion that Mr Langlands was required to advance this case.

55. Service user P. The panel found this head of charge not proved. The panel found this head of charge not proved for the same reasons as with service user E. The first record on the case notes advised to '*...go straight to Healthwatch...*'
56. Service user Q. The panel found this head of charge not proved. The panel found the records in this case, somewhat confusing. There was a record of a home visit by Mr Langlands on 15 March 2018. There was evidence presented to the panel which supports the contention that Mr Langlands assisted in progressing the attendance allowance application which was reported in May 2018 as awarded. Therefore, the additional benefit was likely to have been available to this service user after Mr Langlands' departure from AI.
57. Head of charge 3. The panel found this head of charge proved as regards unprofessionalism and not proved as regards intimidating manner. The panel fully accepted the credible and reliable evidence of Person R.
58. Person R was not a formal employee or office bearer of AI, but was a volunteer. [PRIVATE] He had volunteered to assist AI which he believed did valuable work, and he was keen to support its aims. He acted informally in a number of assistive roles, [PRIVATE]. He would occasionally represent AI at external events when no-one else was available.
59. [PRIVATE]
60. Person R said that he found the encounter unpleasant. Person R said that he had not been threatened personally by Mr Langlands and did not feel threatened or intimidated either verbally or physically and there were no raised voices or swearing. There was no aggressive waving of arms. He was upset by the incident as he knew of no reason for Mr Langlands' manner. The panel found that it could not be satisfied that Mr Langlands had been intimidating in his manner towards Person R.
61. The panel however was satisfied that Mr Langlands had behaved in an unprofessional manner. His conduct was at odds with what is expected of a social worker in not listening to Person R who was declining to accept the papers on behalf of AI. The words used by Mr Langlands regarding a data breach were unprofessional in the circumstances. Mr Langlands offered no concession in this respect in his

written response and made no apology. While the head of charge refers to his period of engagement with AI (which in fact had formally ceased on 16 May 2018), the mischief referred to occurred while Mr Langlands was returning documents belonging to AI and therefore could be said to be on AI business.

Case 2.

62. Charge 1. Conviction for assault by beating. The panel finds this charge proved by the memorandum of conviction exhibited in the papers. Mr Langlands accepts that he was convicted in his response. Mr Langlands writes that he reported the conviction to the HCPC following the conclusion of the case.

63. Charge 2.

64. a) Did not disclose promptly that you were involved with the police. The panel found this limb of the head of charge not proved. The panel was not satisfied that Mr Langlands was under a contractual or professional duty to inform the trust that he had been involved with the police. Mr Langlands formed a judgement that the matter would not go any further. The panel was not provided with any policy of AI in relation to disclosure as a self-employed advocate.

65. b). Did not disclose promptly allegation of domestic violence. The panel found this limb of the head of charge proved. The panel considered that this matter was materially different from mere involvement with the police. In the panel's view, any newly qualified social worker would immediately understand the need to inform AI that he had been accused of domestic violence. Any organisation which engaged social workers must know that the persons they contract with will be acceptable to partner agencies and be safe to attend at client's homes. At the minimum, Mr Langlands required to allow AI to risk-assess him. The importance of prompt disclosure of this matter is underlined by the immediate action taken by the council to exclude Mr Langlands from its premises. Mr Langlands' minimising of the gravity of the incident and its impact when questioned by BB supports the inference that Mr Langlands knew and understood the importance of full and prompt disclosure to AI.

Application for an interim order:

66. There was insufficient time to conclude this hearing today. An application was made by Mr Loran for an interim suspension order on the grounds of public protection, including the wider public interest, after the determination on facts was handed down. Mr Langlands had been contacted by Social Work England on 26 May 2021 about the possibility of such an application being made. He responded by email on 26 May 2021 saying, *'I do not wish to make any written or oral representations in relation to a potential interim order being imposed'*. Mr Loran conceded that Mr

Loran had not been given 7 days' notice of the potential interim order provided for in rule 13. The rule permitted the panel to impose an interim order with a shorter period of notice where it was necessary to do so to protect the public.

67. The panel heard and accepted the legal adviser. The panel was referred to the guidance issued by Social Work England and to the statutory test. The panel was required to determine if an order was necessary for the protection of the public or was in the best interests of the Mr Langlands. The panel considered its findings at the fact stage in particular in regard to its finding of a conviction of Mr Langlands for an assault in a domestic setting. The panel determined that the statutory test was met in light of those findings and that there was a need to impose an interim order for the protection of the public including the need to uphold public confidence in the profession and in the regulatory process.
68. The panel considered first whether an interim conditions of practise order would provide the necessary level of protection. The panel determined, that given the nature of the findings which included a finding of a conviction for domestic violence assault, that an interim conditions of practise order could not be devised that was workable, practical verifiable or measurable. This is particularly so, given that Mr Langlands has not engaged with this panel specifically in relation to the conviction. Nor has he provided any information in relation to his engagement with the probation service and any risk assessments that they may have made.
69. The panel determined that an interim suspension order was appropriate and proportionate and was necessary for the protection of the public and was in the wider public interest. The panel considered the potential impact of such an order on Mr Langlands, but it had no information or submissions from him as to the potential impact on him. The panel was mindful that Mr Langlands himself has concluded that his present Fitness to Practise is impaired, but he has based that on the fact that he has undertaken no CPD in the last three years, or employment as a social worker in that time. In any event the panel determined that the protection of the public outweighed Mr Langland's interests.
70. The panel therefore determined that an interim suspension order should be imposed for a period of 12 months. This period was considered to be appropriate as the case is now part-heard and a date has not been fixed for the hearing to resume.

Finding and reasons on grounds and current impairment

The hearing resumed on 8 September.

Service of Notice:

71. Mr Langlands again did not attend and again was not represented. The panel was informed by Mr Loran that notice of this hearing was sent on 12 July 2021 to Mr Langlands at his email address on the Social Work Register. Mr Loran explained that the operative first part of the notice correctly identified the dates of resumption but in the narrative explaining Mr Langlands' right to participate, a wrong date was identified. The error was obvious and conflicted with the information given in the notice, and in any event was corrected by a supplementary notice being again sent to Mr Langlands on 24 August 2021 with the inaccuracy removed. Mr Loran submitted that the notice of this hearing had been duly served.
72. The panel accepted the advice of the legal adviser about the service of notice.
73. The panel had regard rules 14, 15, 44 and 45. The panel took into account all of the information provided to it concerning the service of notice. The notice requirements are strict in regard to the commencement of the fitness to practise hearing in that a minimum of 28 days is necessary. However, the rule is silent in regard to a resumption of '... the hearing'. The first notice on 12 July 2021 was substantially correct apart from a clear error in the narrative relating to the final date for submission by Mr Langlands of any submissions or material that he wished to tender. The panel concluded that it was satisfied that Mr Langlands had been given sufficient notice within the rules of today's resumed hearing, and that notice of this resumed hearing had been served on Mr Langlands under the rules.

Proceeding in the absence of Mr Langlands:

74. The panel heard the submissions of Mr Loran on behalf of Social Work England. Mr Loran referred the panel to an email from Mr Langlands to Social Work England dated 3 September 2021 which read:

'Hi Mark, Thank you for your email. I have clearly stated in previous correspondence I will not be attending any hearings. In a submitted statement I also made it clear I did not consider myself fit to practice. I was never employed as a social worker as I was unable to gain employment after university with a 1st class degree, 100% attendance and exemplary feedback. I therefore do not consider I would be able to begin a career as a social worker having not undertaken any CPD for 3.5 years and also been the subject of a fitness to practice hearing. Just to be clear, I have no intention whatsoever of pursuing a career as a social worker or working in a social work or remotely similar role or indeed any health or social care setting now or at any time in the future. Kind regards Philip Langlands'.

Mr Loran submitted that notice of this resumed hearing had been duly served and Mr Langlands had explicitly stated that he would not attend or participate in the hearing. Mr Langlands had consciously and voluntarily waived his right to attend and had not raised any objections to it proceeding in his absence. Mr Loran, therefore,

invited the panel to proceed in the interests of justice and the expeditious disposal of this hearing.

75. The panel accepted the legal adviser's advice about the factors it should take into account when considering this application. This included reference to the case of *General Medical Council v Adeogba* [2016] EWCA Civ 162.
76. The panel considered all of the information before it, together with the submissions made by Mr Loran on behalf of Social Work England. The panel had regard to the email by Mr Langlands dated 3 September 2021. The panel considered that all reasonable steps had been taken within the rules to notify Mr Langlands of the date, time, and place of the hearing, how he could participate effectively, and the potential adverse consequences of not participating.
77. The panel concluded that Mr Langlands had chosen voluntarily to absent himself from these proceedings. The panel had no reason to believe that an adjournment would result in Mr Langlands' attendance. Having weighed the interests of Mr Langlands regarding his attendance at the hearing with those of Social Work England and the public interest in expeditiously disposing of this hearing, the panel determined to proceed in Mr Langlands' absence.

Finding and reasons on grounds

78. Having announced its decision on the facts on 27 May 2021, at the resumed hearing the panel went on to determine whether the heads of charge found proved amounted to misconduct or alternatively (in relation to case 1 amounted to lack of competence, in accordance with rule 32. Mr Loran submitted in relation to misconduct that the limited number of heads of charge found proved in case 1 and their different nature and character could present a difficulty. The panel were entitled to consider whether any of the heads of charge were sufficiently serious to amount to misconduct. He said that the heads of charge each engaged standards for social workers that applied at the time of the events (the Health and Care Professions Council Standards of conduct, performance, and ethics (2016) and the standards of proficiency for social workers (2017). He invited the panel to refer to the submissions made by him in his statement of case and if satisfied to find misconduct. In regard to lack of competence, Mr Loran said that the panel would have to be satisfied that the heads of charges found proved in case 1 could be regarded as a representative sample of Mr Langlands' work over a period of time before making that finding.
79. In respect of case 2, Mr Loran said that a conviction of this nature was by far the most serious aspect of the case overall. A domestic violence matter in regard to a person aged 64 was in conflict with the fundamental caring aspects of the

profession. In his submission, the associated failure to swiftly disclose to his employer was also very serious and on its own was sufficient to amount to misconduct. A finding of misconduct was called for in the interests of both public protection and the wider public interests subsumed under that heading.

80. Mr Loran submitted that in relation to the conviction to the assault Mr Langlands' fitness to practise is impaired. Mr Langlands had not shown any measure of insight, remorse, or remediation. He denied the criminal allegation and was convicted after trial. There had been limited engagement by him in this process and nothing to suggest that the risks associated with his proved actions had been addressed.
81. The panel accepted the legal adviser's advice. It understood that a finding of misconduct was a matter for the panel's independent professional judgement. There is no statutory definition of misconduct, but the panel had regard to the guidance of Lord Clyde in *Roylance v GMC* (No2) [2001] 1 AC 311: '*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 conduct must be serious in that it falls well below the required standards. The panel recognised that breaches of standards in and of themselves might not necessarily amount to misconduct.
82. In regard to lack of competence, the panel considered that the heads of charge found proved were not a fair or representative sample of Mr Langlands' work. The panel had received evidence that Mr Langlands was generally a good and efficient worker.
83. In regard to misconduct, the panel was satisfied that in regard to case 1, the heads of charge proved did not amount to misconduct either individually or collectively. Mr Langlands had made mistakes in his work which were different in character and not linked to a deliberate disregard for the welfare of service users.
84. In regard to case 1, head of charge 1, the panel found that while failing to record consent was not good practice, it did not reach the threshold of seriousness to amount to misconduct in the circumstances. The panel had regard to paragraph 27 above. In regard to head of charge 2 referring to a series of service users, the panel was not persuaded that the system of allocations of service users, monitoring and auditing of the work referred to by BB was as robust as she insisted. These were a series of disconnected mistakes which in themselves could not be regarded as misconduct properly understood. Mr Langlands was working in an organisation that is well-intended but not, in the panel's view, as properly efficient and functional as portrayed by the witnesses. Some of the 'audits' referred to in the evidence

appeared to have been carried out retrospectively after concerns were raised about Mr Langlands. The panel accepted that a failing to record and to progress service user L's application for Attendance Allowance let him down but could not, objectively, be regarded as a failing so serious as to amount to misconduct. JR and BB had not followed the matter up as a disciplinary issue and had not, on the face of the evidence, identified this as a serious issue. Similarly, in regard to service user G, there was a recording issue failure but it occurred at a time when Mr Langlands was restricted in the work that he could do. In regard to head of charge 3, Mr Langlands' conduct towards person R had been ill-advised and unpleasant but had not been accompanied by any intention to intimidate. It was unprofessional but not, in the circumstances, misconduct.

85. In regard to case 2, the panel considered that the conviction itself was serious. Further, the failure to disclose the allegation in a timely manner was also serious. The panel considered that Mr Langlands would have known the importance of disclosing the allegation promptly. It was, in the panel's view a falling short of what would be expected of any social worker.

Finding and reasons on current impairment

86. Mr Loran submitted that Mr Langlands' fitness to practise is currently impaired, taking into account the need to protect the public and the wider public interest.
87. Mr Langlands' engagement with Social Work England has been limited. In his statement dated 27 April 2018 Mr Langlands said *'regarding my current fitness to practise, I do not consider myself fit to practice as I have not undertaken any form of Continuing Professional Development (CPD) in the past 3 years. I have also not undertaken any practise or had input from any other professionals other than the probation service, in relation to the conviction, in the past 3 years. There is no other person I could call on to support an argument I was fit to practice. I would therefore fully support a decision I was currently unfit to practice.'*
88. The panel accepted the legal adviser's advice. It considered Mr Langlands' fitness to practise as 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'*.

89. The panel considered the level of Mr Langlands' insight. There was no evidence before the panel that Mr Langlands has reflected on his past behaviour, that he understands the impact of his conviction on the victim, his employer of that offence and on the reputation of the profession. The panel found that Mr Langlands has not demonstrated any level of insight. In his most recent email of 4 September 2021 Mr Langlands made reference to a number of factors but tellingly in regard to his insight made no mention of his conviction or of his failure to disclose that allegation.
90. The Council immediately denied Mr Langlands access to its premises for reasons of client and service user safety when it became aware of the allegation. Mr Langlands has failed to show any remorse for his actions or presented the panel with any evidence of remediation.
91. The panel considered the test for fitness to practise recommended in the case of Grant and decided that:
- Mr Langlands has acted and is liable in the future to act so as to put a service user or service users at risk of harm. His absence of insight into his offending is concerning.
 - Mr Langlands has in the past brought and is liable in the future to bring the profession into disrepute. His conviction is a matter that would cause the informed observer to question the professional standards of social workers in England.
 - Mr Langlands' has in the past and is liable in the future to breach one of the fundamental tenets of the profession. The profession is at its core one of caring for and prioritising the needs of others even in the most difficult circumstances. Mr Langlands' conviction is a refutation of that. His failure to recognise the impact of his conviction is at odds with an understanding of the impact of actions on others which is a core tenet of the profession.
92. The panel next considered the wider public interest considerations including the need to maintain confidence in the profession and to uphold proper professional standards.
93. The panel considered that informed members of the public would consider Mr Langlands conviction and failure to disclose the allegation made against him in a timely way to be entirely inappropriate and unacceptable. The potential for damage to the reputation of the profession is highlighted by the immediate actions taken by

the council on becoming aware of the circumstances. Members of the public would be concerned about the ongoing risk of repetition which involves a 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 Langlands' fitness to practise is impaired.

94. The panel also decided that a finding of impairment was required to mark the seriousness of Mr Langlands' breach of the required standards for social workers, including the breach of fundamental tenets of the profession.
95. The panel found Mr Langlands' fitness to practise is impaired having regard to the need to protect the public and the wider public interest considerations.

Decision on sanction

96. Mr Loran submitted that, had Mr Langlands provided the panel with evidence of sufficient insight and practical remediation, then in those circumstances he would have invited the panel to consider imposing a sanction of 12-months suspension order. In those circumstances, such an order would have been likely to meet the wider public interest considerations of maintaining public confidence and upholding standards for social workers in England.
97. In this case, Mr Loran further submitted the panel had ably and correctly set out in paragraphs 91 to 97 the factors which led to the impairment findings. Those factors also connect directly to the relevant factors in the panel's consideration of the appropriate and proportionate sanction to impose. At paragraph 91, the panel had identified an absence of Mr Langlands' reflection on past misconduct and the likely impact on the victim of Mr Langlands' assault conviction and his employer. The panel identified that Mr Langlands had omitted any mention of his conviction in his email of 4 September 2021 referred to in paragraph 76.
98. Mr Loran submitted that Mr Langlands compounded his misconduct by failing to disclose in a timely manner the police matter. That had implications for his current lack of insight and remediation in circumstances where Mr Langlands has shown no insight or remorse into the issues that are now live before the panel. There is now little prospect of any such proper response by Mr Langlands. He has declined to participate in this process despite continued attempts by the panel to encourage him to do so.
99. In all of these circumstances, Mr Loran submitted that the only proportionate and appropriate order was a removal order.
100. 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 Langlands' interests. The panel considered the sanctions in ascending order of severity. The panel was aware that the purpose of a sanction is not to be punitive but to protect members of the public.

101. In its deliberations the panel agreed with Mr Loran's submissions. There was potential scope for finding a sanction less than a removal order in this case. The purpose of sanctions was not a punitive one, but a process that while fully protecting the public, was open to the facilitated return to good standing of an otherwise able and competent social worker.

102. The panel therefore carefully weighed whether there was any material insight or reflection shown by Mr Langlands into the only two matters that are now in issue. The panel understood that some sanctions can have the valuable dual purpose of protecting the public and allowing the social worker a route to return to the profession without restriction. A recognition by the social worker of the impact that her or his action had on service users, employers and the wider public is however an essential component of that facilitated journey to restored unrestricted practice. In Mr Langlands' case, the panel was unable to identify anything in his engagement with the process and in particular his email of 4 September 2021 which could serve as to support that facilitated objective.

103. In the panel's view, Mr Langlands' email of 4 September 2021 was so clearly expressive of his intentions to depart from the profession and to put the whole matter behind him, that no reasonable panel would find any scope for believing that Mr Langlands will engage with his regulator and demonstrate any real insight or remorse. That discloses, in the panel's view a deeply-rooted attitudinal issue that now exists in Mr Langlands' mind. The risks to the public are accordingly very high indeed. Mr Langlands has not shown any recognition into the risks created for his host organisation, the council, in failing to disclose the police matter in a timely way. There now exists, in the panel's view, no real prospect of Mr Langlands developing any recognition of his professional wrongdoing, insight into the harm caused by his actions and the means of repairing the harm done by dedicating himself to restoring his reputation.

104. The panel did not identify any mitigating factors in this case.

The panel identified the following aggravating factors:

- The engagement by Mr Langlands in the process to the effect that he would not materially participate or engage meaningfully in the process.

- Mr Langlands has definitively refused to engage in a restorative process including the first steps in developing insight and reflection.
- The risks to the public are very high when faced with a determination by Mr Langlands to remove himself from any possibility of a safe return to professional practice.
- No insight and no remorse.

105. 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 Langlands' 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, is serious with very little mitigation and the sanction of taking no action, giving advice, or a warning would not sufficiently mark the seriousness of the misconduct.

106. The panel next considered the imposition of a conditions of practice order. Conditions of practice would not be workable as Mr Langlands has not demonstrated any remorse or insight, nor has he engaged in a meaningful way with the regulatory process. The panel had regard to paragraph 84 of the guidance, which states that conditions are *'less likely to be appropriate in cases of character, attitudinal or behavioural failings, or cases raising wider public interest issues'*. The panel did not consider that the imposition of conditions of practice could achieve public protection. The broader public interest was also prominently in view in this case. Informed members of the public would be very concerned that Mr Langlands, who shows no willingness to begin to engage with his professional failings, could be allowed to have responsibility for vulnerable service users, even under strict conditions of practice.

107. The panel next considered the sanction of a suspension order. First, the panel had regard to paragraph 92 of the guidance, which states that: *'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...'*

108. In considering whether a suspension order was the appropriate and proportionate outcome, the panel considered there have been no previous regulatory findings against Mr Langlands. The panel carefully balanced this information against the aggravating features in the case and the difficulty of

remediating misconduct in circumstances where Mr Langlands has so firmly set his face against any return to responsible professional practice. The aggravating features include some attitudinal matters. The panel also considered that Mr Langlands has been subject to an interim suspension order for some months. His engagement with his regulator has been minimal, and wholly negative. In the entirety of the time the interim suspension order has been in place, Mr Langlands has not done anything to reassure the regulator that he has accepted his failings or is willing to remediate them and is capable of responding positively to a suspension order.

109. Having conducted a careful balancing exercise, the panel decided that a suspension order was not sufficient to protect the public or the wider public interest. The panel had regard to the seriousness of Mr Langlands' departure from the required standards. It accorded the due weight justified by the need for a sanction to send a clear message to members of the public and the profession that standards must be adhered to even in difficult personal circumstances. The panel decided that a suspension order was insufficient to mark the misconduct's seriousness and maintain public confidence in the profession.
110. The panel had regard to paragraph 97 of the guidance, which states: '*A removal order must be made where the adjudicators conclude that no other outcome would be enough to protect the public, maintain confidence in the profession or maintain proper professional standards for social workers in England*'.
111. As detailed above, Mr Langlands has exhibited deeply rooted attitudinal issues that are now incompatible with public safety. The circumstances which led to this are such as to require exclusion from the profession in order to protect the public. However, the clearly expressed complete absence of any intention by Mr Langlands to respond positively to any lesser sanction made the risks to the public so great that only a removal order was made appropriate. In all the circumstances, a removal order is also required to maintain confidence in the profession and to maintain proper professional standards for social workers.
112. Accordingly, the panel made a removal order.

Interim order

113. Mr Loran made an application under Schedule 2 paragraph 11(1)(b) of the regulations for an interim order of suspension to cover the 28-day period within which Mr Langlands may appeal before the substantive order comes into effect. Were Mr Langlands to appeal, an interim order would have effect until such time as the appeal is withdrawn or disposed of. Mr Loran made the application on the

ground of public protection, which includes promoting public confidence in the profession and maintaining proper professional standards.

114. The panel 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. This was so, particularly having regard to the high degree of risk to public safety identified by the panel. Serious damage would be caused to public confidence if no interim order were to be in place and standards would not be upheld. Accordingly, an interim order was 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.
115. The panel next considered which of the two interim orders available 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 would not be sufficient to protect the public and address the wider public interest considerations.
116. 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 after 28 days if no appeal is taken), it took account of the time that it might take for an appeal to be finally disposed of.
117. The panel took into account the principle of proportionality and acknowledged that this interim order will prevent Mr Langlands from working as a social worker. However, the panel determined that the need to protect the public outweighed Mr Langlands' interests.

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.