

Social Worker: Derenda
Welbourne-Hull
Registration Number: SW85560
Fitness to Practise:
Final Hearing

Date(s) of hearing: 20-27 April 2022

Hearing Venue: Remote Hearing

Hearing outcome: Facts found proved:
1(a) (both limbs), (b), (c), (f), (g), 2(a) and (b), 3

Facts found not proved:
1(d) and (e)

Removal Order

18-month interim suspension order (27 April 2022- 26
October 2023)

Introduction and attendees

1. This is a hearing held under Part 5 of The Social Workers Regulations 2018 (the regulations).
2. Ms Welbourne-Hull did not attend and was not represented.
3. Social Work England was represented by Ms Aphra Bruce-Jones, as instructed by Capsticks LLP.

Adjudicators	Role
Miriam Karp	Chair
Stella Elliott	Social Worker Adjudicator
Baljeet Basra	Lay Adjudicator

Harry Frost (20-22 April 2022) Natasha Quainoo (25-27 April 2022)	Hearings Officer
Khadija Rafiq (20-22 April 2022) Heather Hibbins (25-27 April 2022)	Hearing Support Officer
Gerrard Coll	Legal Adviser

Service of Notice:

4. Ms Welbourne-Hull did not attend and was not represented. The panel of adjudicators (the panel) was informed by Ms Bruce-Jones that notice of this hearing was sent to Ms Welbourne-Hull by email to her address on the Social Work Register (the Register). Ms Bruce-Jones submitted that the notice of this hearing had been duly served.
5. The panel had careful regard to the documents contained in the final hearing service bundle as follows:
 - A copy of the notice of substantive order review hearing dated 22 March 2022 and addressed to Ms Welbourne-Hull at her email address as it appears on the Social Work England Register;
 - An extract from the Social Work England Register detailing Ms Welbourne-Hull's registered address;

- A copy of a signed Statement of Service, on behalf of Social Work England, confirming that on 22 March 2022 the writer sent by email to Ms Welbourne-Hull at the address referred to above: Notice of Hearing and related documents.

6. The panel accepted the advice of the legal adviser in relation to service of notice.
7. Having had regard to rules 14, 16, 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 Ms Welbourne-Hull in accordance with the Social Work England (Fitness to Practise) Rules 2019 as amended (the rules).

Proceeding in the absence of Ms Welbourne-Hull:

8. The panel heard the submissions of Ms Bruce-Jones on behalf of Social Work England. Ms Bruce-Jones submitted that notice of this hearing had been duly served, no application for an adjournment had been made by Ms Welbourne-Hull and as such there was no guarantee that adjourning today's proceedings would secure her attendance.
9. Ms Bruce-Jones further submitted that on 20 April 2022, the first day of the hearing, Ms Welbourne-Hull had emailed to say that she would not attend the hearing because she is at work and cannot leave. Ms Bruce-Jones said that Ms Welbourne-Hull had known for some time the date of today's hearing and could have made arrangements with regard to her work commitments to attend but appears not to have done so. Ms Bruce-Jones took the panel to part of Ms Welbourne-Hull's earlier communications with Social Work England indicating that she no longer wishes to remain on the register. Ms Bruce-Jones submitted that taken together, this constituted a clear message to the panel that Ms Welbourne-Hull did not intend to participate in these proceedings. In those circumstances, there was no merit in adjourning or postponing these proceedings. Ms Bruce-Jones invited the panel to proceed in the interests of justice and the expeditious disposal of this hearing.
10. On 22 April 2022, while the panel was in closed session after retiring to determine which facts it found to be proved, Ms Welbourne-Hull sent a further email to Social Work England. Ms Welbourne-Hull said that she wished to reconsider her decision to be removed from the register. She wished to consider applying for a post that required her to be registered.
11. 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 and the cases of *R v Jones* [2003] UKPC; *General Medical Council v Adeogba* [2016] EWCA Civ 162 and *Sanusi v General Medical Council* [2019] EWCA Civ 1172.
12. The panel considered all of the information before it, together with the submissions made by Ms Bruce-Jones on behalf of Social Work England. The panel considered that Ms Welbourne-Hull had been given sufficient notice of these proceedings to

allow her to make arrangements to take time off work for this. She had a history of little engagement in the investigation stage of this case. Previously, Ms Welbourne-Hull had written that she would like to submit witness statements but had not done so. Ms Welbourne-Hull's response to Social Work England on the first day of the hearing signified that she was aware of the fact and significance of today's proceedings. Ms Welbourne-Hull had not invited the panel to postpone or adjourn the hearing in the email that she had submitted on the first day of the hearing.

13. The panel, therefore, concluded that Ms Welbourne-Hull had chosen voluntarily to absent herself from these proceedings. The panel had no reason to believe that an adjournment would result in Ms Welbourne-Hull's attendance. Having weighed the interests of Ms Welbourne-Hull in regard to her 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 Ms Welbourne-Hull's absence.

Regulatory concerns (as amended)

14. The following amended regulatory concerns were the subject of these proceedings:

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

1. *Breached professional boundaries while working for Nottinghamshire Council, in that you:*
 - a) *between 2008 and July 2018 maintained contact with Child A and/or Child A's adoptive carers when you did not have a professional interest in doing so;*
 - b) *on or around ~~24 July to August~~ 2018, asked Person B to allow Child A to reside at your home;*
 - c) *allowed Child A to reside at your home between ~~23~~ 24 July 2018 and 31 July 2018;*
 - d) *on or ~~around~~ before 31 July 2018, informed Child A that she could stay with you "forever" or words to that effect;*
 - e) *on or ~~around~~ before 31 July 2018, promised Child A that you take her to visit her birth mother;*
 - f) *on or ~~around July to~~ before 1 August 2018, contacted Service User C without a work-related reason for doing so and/or suggested meeting up with her and Child A;*

- g) on or around 31 July 2018, offered to have Child A stay with you on the weekends after your ~~registration as a foster carer~~ **mother was better, or words to that effect.**

2. While working for Birmingham City Council, you:

- a) completed a **Children in Care (“CIC”) Review Outcome form and/or a CIC Review Record** for Child E and dated it 11/12/2017 when a review meeting did not take place on this date;
- b) completed a CIC Review Outcome form **and/or a CIC Review Record for Child F** and dated it 12/12/2017 ~~for Child F~~ when a review meeting did not take place;

3. Your actions at paragraph 2 were dishonest in that you deliberately recorded that a **CIC Review meeting had taken place when you knew it had not.**

~~4. The matters set out in paragraph 1 constitute misconduct.~~

4. The matters set out in paragraphs 1 - 3 constitute misconduct.

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

Preliminary matters

15. Ms Bruce-Jones on behalf of Social Work England made two preliminary applications under rule 32.

Amendment of the regulatory concerns

16. Ms Bruce-Jones made an application under rule 32(b)(ii) to amend the allegations by deleting certain parts (shown in score-through) and by adding text (shown in bold typeface). Ms Bruce-Jones submitted that the amendments would align the regulatory concerns accurately with the anticipated evidence and would assist Ms Welbourne-Hull to more clearly understand the case brought against her. The legal adviser reminded the panel of its powers to amend within the rules provided that no injustice was created as a result.

17. The panel held in mind its obligation to act fairly and to fully protect the public. The panel considered that no new or more serious matters were added to the regulatory concerns by the proposed amendment. The panel considered that the proposed amendment more clearly focused the regulatory concerns. Accordingly, the panel agreed to amend the regulatory concerns as proposed.

Hearsay application

18. Ms Bruce-Jones invited the panel to admit the evidence of Ms Hudson in regard to Child F as hearsay evidence. Ms Hudson had told Social Work England in 2021 that her memory of events had faded with time and she would be unable to add to her sworn statement. She had taken up a different role with a different local authority. She considered that she would be unable to supplement her earlier statement in any material way.
19. Ms Bruce-Jones said that Ms Hudson's statement had been attested by her as true. Ms Hudson's testimony was not the only evidence in regard to Child F which she intended to rely upon. In Ms Bruce-Jones's submission, the application did not offend against the principles for admitting hearsay set out in *Ogbonna v Nursing and Midwifery Council* [2010] EWCA Civ 1216 and *R (Bonhoeffer) v General Medical Council* [2011] EWHC 1585 (Admin). The statement had probative value. The legal adviser reminded the panel that hearsay evidence was admissible in accordance with the panel's powers to hear evidence even if it might not be admitted in a civil court, under rule 32(b)(vii). Hearsay evidence which was the only evidence on the point and was decisive should not normally be admitted in order to ensure that Ms Welbourne-Hull was afforded a fair hearing.
20. The panel held in mind that hearsay evidence should not be admitted as a matter of routine and without scrutiny. The panel considered that the reason for Ms Hudson's absence from proceedings which were being conducted remotely and the steps taken to facilitate her participation as a witness were sufficient in all of the circumstances. Other evidence was available in the bundle of witness statements and exhibits in regard to Child F. The panel considered that it could attach such weight as Ms Hudson's statement of truth merited when considering all of the other related evidence in regard to Child F. Accordingly, the panel agreed to permit Ms Hudson's statement to be admitted as hearsay.

Hearing part-private

21. The panel considered that several exhibits including parts of Ms Welbourne-Hull's responses to Social Work England contained references to her health and to her private family life. The panel proposed to consider whether to hear part of the hearing in private where such issues arose. Ms Bruce-Jones did not object. The panel accepted the legal adviser's advice. The panel considered that where necessary, the hearing could be conducted partly in private in order to protect the privacy rights of Ms Welbourne-Hull. The hearing would not be compromised by this in the panel's view and the public would be fully protected. No evidence was excluded. Accordingly, the panel exercised its power in terms of rule 32 to proceed in private when any matter relating to Ms Welbourne-Hull's health or family life arose.

Summary of Evidence

22. Social Work England provided the panel with the following exhibits:

- Exhibit 1 – hearing timetable of 4 pages
- Exhibit 2 – statement of case of 14 pages
- Exhibit 3 – exhibits bundle of 328 pages
- Exhibit 4 – witness statements bundle of 28 pages
- Exhibit 5 – service bundle of 22 pages
- Exhibit 6 – response bundle by Ms Welbourne-Hull of 9 pages
- Exhibit 7 – social worker’s supplementary response of 17 pages
- Exhibit 8 – hearsay application of 7 pages
- Exhibit 9 – social worker’s emails to Social Work England (dated between 22 April 2022 and 25 April 2022) of 9 pages in total of emails.

23. The background to the regulatory concerns presented by Ms Bruce-Jones on behalf of Social Work England is set out below.

24. Ms Welbourne-Hull worked as a social worker in various roles at Nottinghamshire County Council (NCC) from 2004 to 2015. She then worked as an Independent Reviewing Officer (IRO) at Birmingham City Council (BCC) for Birmingham Children’s Trust from October 2015 until she was suspended from work on 14 May 2018.

Regulatory concern 1

25. Regulatory concern 1 arose as a consequence of a referral made on 27 July 2018 to the Health and Care Professions Council (HCPC) by Bev Mundle. Ms Mundle was then the Children Services Manager at NCC and was Ms Welbourne-Hull’s previous manager there.

26. The concerns raised were that Ms Welbourne-Hull had breached professional boundaries by maintaining inappropriate contact with Child A and Child A’s adoptive carers, following Child A’s adoption.

27. Ms Welbourne-Hull had been the social worker who had secured Child A’s removal from her birth mother in 2008 and had then been involved in the placement process that concluded with Child A being placed with the adoptive parents. Her involvement with Child A and her adoptive parents should have ended at that point. Subsequent

events supported the view that Ms Welbourne-Hull had instead maintained continuous contact to the point that Child A saw her as a trusted family friend.

28. Around 24 July 2018, Child A's adoption placement had broken down and her subsequent foster care placement had also broken down. Her adoptive parents had excluded her from the family home. This culminated in Child A being taken into protective custody by the police. The immediate plan was for Child A to remain in police custody, in the detention cells area, until an alternative arrangement could be made with NCC for a new placement. Child A made a call to Ms Welbourne-Hull asking that she pick her up from police custody and allow her to stay with Ms Welbourne-Hull. Ms Welbourne-Hull agreed.
29. Ms Welbourne-Hull telephoned Person B, a social worker at NCC to offer to care for Child A. It became apparent that Ms Welbourne-Hull had maintained contact with the adoptive parents of Child A since ceasing to be their allocated social worker. The adoptive parents agreed for Child A to be placed with Ms Welbourne-Hull. However, Child A resided with her only between 24 and 31 July 2018.
30. Ms Welbourne-Hull was unable to cope with Child A's complex needs. Further, Ms Welbourne-Hull was the carer for her elderly mother at that time, who was the primary focus of Ms Welbourne-Hull's attention. Ms Welbourne-Hull abruptly and urgently arranged for Child A to be removed from her home, which was carried out by AM on 31 July 2018. When this removal occurred, it appeared to be a surprise to Child A, who became understandably upset.
31. In the course of the removal, it appeared from accusatory statements made by Child A to Ms Welbourne-Hull that Ms Welbourne-Hull had made some inappropriate statements to Child A. These included that Ms Welbourne-Hull would take Child A to visit her birth mother, and also telling Child A that she could stay with Ms Welbourne-Hull '*...forever*'. Ms Welbourne-Hull made statements in response that were also inappropriate, suggesting that the relationship with Ms Welbourne-Hull would continue after Child A was placed elsewhere.

Regulatory concern 2.

32. Regulatory concern 2 arose subsequently and was independent of regulatory concern 1. This was a separate referral by BCC that alleged that Ms Welbourne-Hull had dishonestly completed CIC Review Outcome Forms and CIC Review Records for two children when the review meetings had not taken place in reality.
33. While working at Birmingham Children's Trust as an IRO, Ms Welbourne-Hull reported that two CIC review meetings relating to Child E and Child F had taken place on 11 and 12 December 2017 respectively. Ms Welbourne-Hull represented that the

meetings had taken place at the children's placements in the entries that she had made in the relevant documents.

34. The case against Ms Welbourne-Hull by Social Work England was that this had been a dishonest thing to do. The meetings had been cancelled because of bad weather. The entries made by Ms Welbourne-Hull were false representations.

35. In 2018 the families of Child E and Child F separately reported concerns that the meetings had not taken place, despite CIC Review Outcome form and/or a CIC Review Records for both children stating that they had.

36. The evidence available to the panel included the following:

i) Social Work England

Ms Bruce-Jones called evidence from three witnesses in person and relied on the hearsay statement of one witness. These were:

- a) in person – Bev Mundle, (Children Services Manager at NCC); Ms Welbourne-Hull's Line Manager at NCC;
- b) in person – Natalie Wray (independent social worker); the social worker in July 2018 for Child A;
- c) in person – Jane Parry, formerly Assistant Head of Reviewing for Birmingham Children's Trust until 2022;
- d) HEARSAY STATEMENT – Amy Hudson, (social worker); social worker for Child F.

ii) Ms Welbourne-Hull

Ms Welbourne-Hull did not provide any evidence in person or by attested statements of truth. She had submitted a statement to HCPC in 2018 and had supplied Social Work England with responses to what became regulatory concern 1 in two emails dated 1 August 2018. Ms Welbourne-Hull appeared to make admissions to certain aspects of regulatory concern 1.

Finding and reasons on facts

37. The panel accepted the advice of the legal adviser. The panel was aware that the burden of proving the facts was on Social Work England. Ms Welbourne-Hull did not have to prove anything. The individual limbs of each head of regulatory concern can only be found proved if the panel was satisfied on the balance of probabilities. In reaching its decision, the panel took into account all of the witness statements and the documentary evidence contained within the bundles including that by Ms

Welbourne-Hull. The panel considered the evidence in person by each of the three witnesses who attended the hearing remotely. The panel gave weight to the hearsay statement although its impact was less because of it being hearsay in nature.

38. The panel paid close attention to the nature and quality of the contemporary records relied on by Ms Bruce-Jones on behalf of Social Work England. There was nothing to suggest that the records were not complete in regard to the relevant entries or had later been altered. The entries appeared to have been made routinely and with internally consistent detail which pointed to their reliability as records of events.

39. The records in regard to regulatory concern 2, completed by Ms Welbourne-Hull, also appeared to have the character of trustworthy and complete records. The issue was whether the records made by Ms Welbourne-Hull accurately recorded the meetings which they ostensibly confirmed had occurred. In order to resolve this issue, the panel paid close attention to:

- the witness testimony (substantially unchallenged by Ms Welbourne-Hull) asserting that the records could not be accurate,
- the independent complaints which arose in response to third parties' receipt of the records,
- the ancillary evidence relating to internal verification and processes at BCC,
- the secondary evidence from Ms Mundle of Ms Welbourne-Hull's evasive response when challenged.

40. The panel made the following assessment of the witnesses' credibility and reliability.

Ms Mundle

41. Ms Mundle was a clear, cogent, truthful, and reliable witness. She was measured in her evidence and acknowledged the limits of her ability to comment on matters which were beyond her personal involvement. Her evidence accorded closely with the contemporary records. She resisted offering any information which related to events such as Child A's adoption process in 2008.

Ms Wray

42. Ms Wray also impressed the panel as an honest and forthright witness. She did not embellish her evidence and there was no sense of an unworthy motivation against her former colleague, Ms Welbourne-Hull. Ms Wray was helpful to the panel by explaining the context of events surrounding Child A's removal from Ms Welbourne-Hull's home. She supported the view that she had formed, that Ms Welbourne-Hull

had said things to Child A, which Child A had understood to be promises but in fact were intended to encourage Child A to leave with Ms Wray.

43. Ms Wray also assisted the panel by explaining the function and importance of professional boundaries and the consequences for vulnerable young service users when boundaries are not kept. Ms Wray explained reasonably and systematically the importance of a social worker severing ties with an adopted child and parents in order to promote the best interests of the adopted child. She was clear why it was not acceptable for any social worker to continue any support or contact and Ms Wray appeared genuinely surprised to learn that this had ever happened. She explained convincingly that contact with an adopted child must only ever be with an allocated social worker and/or supported by a court order. In her view, informal contact of this nature can be damaging and confusing for the child.

Ms Parry

44. The panel considered that Ms Parry was a wholly satisfactory witness. She was clear and cogent in her evidence. She presented as a dispassionate, senior social worker. The panel was satisfied that she had no adverse motive towards Ms Welbourne-Hull. Her evidence explored the logical inconsistencies in Ms Welbourne-Hull's meetings records when encountered by the BCC internal verification processes and the subsequent conflicts with other persons' responses as revealed by her investigation.

Ms Hudson

45. Ms Hudson's hearsay statement appeared to be consistent with all of the other contemporary council records and witness testimony against Ms Welbourne-Hull. Although not subject to challenge, the witness statement sat comfortably with the evidence of Ms Parry. The statement could not be given the full weight which could have attached to Ms Hudson's live testimony. However, the panel was satisfied that it could rely on the statement.

Ms Welbourne-Hull

46. Ms Welbourne-Hull did not attend the hearing or participate in the process meaningfully. Her emails of 2018 appeared to be the most accurate reflection of her position in respect of regulatory concern 1. The panel found that parts of Ms Welbourne-Hull's emails assisted it. Ms Welbourne-Hull appeared to admit having maintained regular contact with Child A over a period of at least 10 years, subject to the qualification that contact was allegedly intermittent.
47. Ms Welbourne-Hull also appeared to accept that she actively sought out the care of Child A in 2018, which she quickly regretted as a mistake. Her admissions did not go so far as accepting that continued contact with Child A had been inappropriate

although she did appear to accept that in retrospect, it was ill-advised. Ms Welbourne-Hull did not appear to accept that she had been wrong to pursue the care of Child A in 2018 and to offer herself as the child's carer. She did not accept that promises had been made to Child A.

48. Ms Parry had concluded that Ms Welbourne-Hull had not been fully candid in answering Ms Parry's enquiries in 2018 regarding the meetings' records for Child E and Child F. In Ms Parry's view, Ms Welbourne-Hull had sought to deflect and to evade answers to questions which she was obligated to answer.
49. The panel recognised that full credit had to be given to Ms Welbourne-Hull for any admissions made by her, which appeared to have been given early in the process. The panel also recognised that it could come to an adverse inference in deciding what evidence it accepted as true as a result of Ms Welbourne-Hull's decision not to attend and participate in this hearing. In circumstances where an honest answer was demanded by the weight of evidence, but none was offered, the panel recognised that it was entitled to find that silence stood as a substitute for candour. The panel was entitled to determine in the circumstances that evidence had not been given because guileless evidence contradicting the case presented by Social Work England could not be offered frankly.
50. The panel made the following determinations in regard to the facts.

Regulatory concern 1

Breached professional boundaries – found proved

51. Ms Mundle satisfied the panel that an important professional boundary for any social worker engaged in removing a child from its birth mother and assisting in a placement for adoption was to sever contact with the child and the adoptive parents. It is important for the child to take up this new chapter in its life unencumbered by links to the past, however well-intentioned. Ms Mundle explained to the panel the impediments to an adopted child's development posed by being reminded of past trauma and being unable to fully immerse itself in her or his new family. Ms Mundle was emphatic that it is never appropriate for a social worker to continue contact, and in particular extended immersive contact with the child and its family. The child needs time to develop and to establish a firm relationship with its adoptive carers. It should not be reminded of the reasons why it was no longer with its birth parent or parents. Adoptive support services are available for emotional support and guidance that may be needed in order to effect this transition. Further, Ms Mundle was clear that it is never appropriate for such a social worker to offer a former child service user a place to stay on any basis. As soon as she was aware of the situation, Ms Mundle had concerns immediately.

52. Ms Mundle exhibited an email dated 26 July 2018, the day that she became aware Child A had been accommodated at Ms Welbourne-Hull's home. Ms Mundle's information included that Child A's adoptive parents reported that they were 'friends' with Ms Welbourne-Hull. Her response was to allocate Child A to a new social worker, Ms Wray, and to remove whole responsibility for the care and wellbeing of Child A to a different team with no direct connections to Ms Welbourne-Hull.
53. The totality of the evidence demonstrated that Ms Welbourne-Hull had mired herself in a situation that required her to extricate herself from, in the face of the child feeling further rejected. This was a harmful situation created by Ms Welbourne-Hull's disregard of her professional boundaries. The child had reached out to her from police custody rather than to her own social worker. Ms Welbourne-Hull had admitted continuing contact with Child A and her adoptive parents. Ms Wray's evidence had included that Child A told her that Ms Welbourne-Hull had always been part of her and her adoptive parents' lives. Ms Welbourne-Hull had offered no explanation inconsistent with this as to why Child A would reach out to her when in distressing circumstances. Ms Mundle's evidence referred to a telephone record of a call by Ms Welbourne-Hull to the department stating that she used to be Child A's social worker and was happy to care for her.
54. The panel was satisfied that there had been clear breaches of professional boundaries by Ms Welbourne-Hull while working for NCC. Ms Mundle had explained convincingly the underlying reasons for any contact to be supported by a full assessment by the council. For a social worker to act in this way, breached important professional boundaries which were designed to support the wellbeing of Child A.
- Limb a) – found proved in respect of Child A and Child A's adoptive carers
- between 2008 and July 2018 maintained contact with Child A and/or Child A's adoptive carers when you did not have a professional interest in doing so;*
55. Ms Mundle exhibited a telephone case note between Ms Welbourne-Hull and Child A's social worker in 2018 stating that Ms Welbourne-Hull had confirmed that she had maintained contact with Child A throughout her life, after being Child A's social worker as a young child. Another telephone note recorded that Ms Welbourne-Hull acknowledged having known Child A since the child was very young and '*...is happy to care for her*'.
56. All of the evidence, including the responses by Ms Welbourne-Hull suggested that Ms Welbourne-Hull's official professional involvement with Child A had ended in 2008.

Limb b) – found proved

on or around 24 July, asked Person B to allow Child A to reside at your home

57. The panel was satisfied that all of the evidence supported that Ms Welbourne-Hull allowed Child A to reside at her home. It was clear that Ms Welbourne-Hull had made the offer and pursued it diligently. Ms Welbourne-Hull had not been sought or asked by NCC to provide Child A with accommodation.
58. Ms Welbourne-Hull located and called Child A's social worker and made a number of telephone calls to pressure NCC employees to agree that Ms Welbourne-Hull could accommodate Child A. The allocated social worker was unavailable and the call was answered by another social worker, PH. When Child A arrived at Ms Welbourne-Hull's home, the child and Ms Welbourne-Hull hugged and presented very clearly to the social worker that they knew each other well.
59. Interview notes exhibited by Ms Mundle support the above. Further, interview notes of Ms Wray record that Ms Welbourne-Hull contacted Ms Wray to report that Child A remained with her and that Ms Welbourne-Hull wanted an update on what was happening in regard to Child A's placement progress.

Limb c) – found proved

allowed Child A to reside at your home between 24 July 2018 and 31 July 2018

60. Ms Mundle exhibited the interview notes of Ms Wray. That person reported that Child A had been taken to Ms Welbourne-Hull's home to stay for the night. The notes further record that Ms Wray attended Ms Welbourne-Hull's home on 31 July 2018 and found that Child A still resided at Ms Welbourne-Hull's address. Ms Mundle exhibited interview notes of Ms Wray which recorded that Ms Welbourne-Hull contacted Ms Wray on 27 July 2018 requesting an update. Ms Welbourne-Hull stated that the arrangement was temporary and that Child A would not be staying with her (Ms Welbourne-Hull) long term. On 31 July 2018, Ms Wray attended at Ms Welbourne-Hull's home and found that Child A still resided there.

Limb d) – found not proved

on or before 31 July 2018, informed Child A that she could stay with you "forever" or words to that effect

61. Ms Wray's interview notes that were exhibited record that on 31 July it became clear to Child A for the first time that she was to leave Ms Welbourne-Hull's home, by her asking the child 'what have you decided to do?'. The child's response was to say, 'you promised me I could stay here as long as I wanted to'. Ms Wray observed that Child A became very upset and demanded to know from Ms Welbourne-Hull 'why did you say I could stay forever?'. The notes also record that later Child A had shared

with Ms Wray that she had been promised that she could stay with Ms Welbourne-Hull forever.

62. Ms Mundle's evidence was that Child A's response was one of genuine hurt when she realised that she was not being offered a permanent home with Ms Welbourne-Hull. However, there were further exchanges between Ms Welbourne-Hull and Child A at that time which suggested a broader context. Ms Mundle accepted that Ms Welbourne-Hull had not immediately contradicted Child A but the exchanges occurred at a fraught time and Ms Welbourne-Hull may not have wished to allow the situation to further deteriorate.

63. Ms Mundle considered that Child A may genuinely have misunderstood what Ms Welbourne-Hull had said. The panel considered that, on balance of probabilities, there was no clear supporting evidence that Ms Welbourne-Hull had used those or similar words directly to convey the meaning that Child A may have extrapolated in her wish to be secure. There was, however, clear evidence that Ms Welbourne-Hull offered Child A to come back and stay at weekends. The panel did not consider this offer to stay at weekends constituted that 'she could stay... forever'. The panel therefore found this limb not proved on balance of probabilities.

Limb e – found not proved

on or before 31 July 2018, promised Child A that you take her to visit her birth mother

64. An interview note exhibited by Ms Mundle recorded that '...social worker happy to support to go to appointment, see [...] and birth mum'. In one of the exchanges on 31 July 2018, Child A said, 'you promised you would take me to see my mum'.

65. The panel noted Ms Mundle's evidence that Ms Wray recorded that Ms Welbourne-Hull was anxious for Child A to leave her home on 31 July 2018. However, the potential for a fraught situation to become unmanageable appeared to be understood by all of the adults. In this wider context, comments made by Ms Welbourne-Hull to Child A that she was happy to help her see her dog was equally consistent with attempting to avoid matters getting out of hand. Ms Welbourne-Hull might have been attempting to soothe Child A. Accordingly, although the panel was satisfied that the words, on balance of probabilities, said by Ms Welbourne-Hull to Child A, were not a promise as Child A had understood. On this basis, the panel was not able to find proved on balance of probabilities that Ms Welbourne-Hull had made the promise specified in the limb of the regulatory concern.

Limb f – found proved

on or before 1 August 2018, contacted Service User C without a work-related reason for doing so and/or suggested meeting up with her and Child A

66. The panel considered that the exhibited interview notes of person AL, the Support After Adoption social worker, outlined that service user C informed her that Ms Welbourne-Hull had contacted her and *“...suggested that she could support her with contact for Child A and meet up with her...birth mother said that she felt this was inappropriate as [Ms Welbourne-Hull] was the social worker who had removed her daughter”*. In the telephone contact note between Ms Wray and service user C, it was recorded that *“service user C also stated that [Ms Welbourne-Hull] had phoned her [i.e. service user C] and suggested meeting up for a chat and also supporting Child A to meet with. [service user C] felt this was inappropriate”*

67. The panel noted that the latter record confirms that service user C even knew that her child was residing with Ms Welbourne-Hull. This fully supported the accuracy of the record. The panel found this limb of regulatory concern proved.

Limb g – found proved

on or around 31 July 2018, offered to have Child A stay with you on the weekends after your mother was better, or words to that effect

68. The exhibited case note prepared by Ms Wray following the home visit to Ms Welbourne-Hull and Child A on 31 July 2018, records that during discussions between the social worker and Child A, Child A stated that she would not leave Ms Welbourne-Hull’s address. In response, Ms Welbourne-Hull stated *“I promise you can come back every weekend and that you can come back and live with me when my mother is better”*

69. The panel understood that this exchange had the same context as the fraught removal of Child A from Ms Welbourne-Hull’s home. Although it is possible that Ms Welbourne-Hull intended only to soothe the child, there was clear evidence that the offer was made directly to Child A by Ms Welbourne-Hull.

70. The panel also took into account Ms Welbourne-Hull’s response bundle which had been exhibited. Ms Welbourne-Hull explained her intermittent contact with Child A had been at the request of the adoptive parents. The adoptive parents had called her to explain that the placement had broken down. There was then a distressing call from Child A who was being accommodated at a police station. Ms Welbourne-Hull acknowledged that in hindsight, she had made the wrong decision to offer a Child A place to stay but did so because she knew how desperate the child and the adoptive parents were. The panel considered that that approach was consistent with the offer having been made on 31 July 2018.

Regulatory concern 2

Limb a – found proved

completed a Children in Care ("CIC") Review Outcome form and/or a CIC Review Record for Child E and dated it 11/12/2017 when a review meeting did not take place on this date

71. The panel observed that Ms Welbourne-Hull accepted that she was the IRO employed at BCC with responsibility for the relevant records, which she had completed.
72. Ms Welbourne-Hull's response to Ms Parry who was investigating the concern at BCC was that the records completed by her accurately recorded that the meetings in relation to Child E had taken place, but remotely, by telephone. The intended in person meeting had been cancelled due to bad weather.
73. Ms Parry's evidence was that a telephone meeting was not an acceptable alternative to the intended meeting. In any event, Ms Parry's exhibited notes of the interview with Ms Welbourne-Hull exposed the impossibility of Ms Welbourne-Hull having conducted a telephone call review with Child E. Child E was established to be '*...now babbling and is saying a few words i.e.:- Mama, Nana...Child E is a baby*'.
74. Ms Parry's investigation revealed that
 - the intended review meeting on 11 December 2017 had been cancelled due to bad weather;
 - parties had been emailed to this effect;
 - parties understood that the review would be rearranged;
 - Ms Welbourne-Hull's records completed by her of the meeting (signed by her) state that the meeting took place, at 11:30 am, face-to-face at the placement;
 - mother and father were invited to the review and attended;
 - Ms Welbourne-Hull visited and observed Child E in placement;
 - Ms Parry exhibited an email dated 21 February 2021 confirming that a Looked After Child review had not taken place since 11 September 2017;
 - complaints had been received at BCC including from Child E's parents that meeting notes had been distributed wrongly recording a meeting on 11 December 2017 that had not taken place.
75. The panel was satisfied that Ms Welbourne-Hull had completed and dated the relevant records for a meeting that did not in fact take place.

Limb b) – found proved

completed a CIC Review Outcome form and/or a CIC Review Record for Child F and dated it 12/12/2017 when a review meeting did not take place

76. The panel had Ms Parry's evidence and exhibited interview notes which were supplemented by the hearsay statement of Ms Hudson. Ms Parry's investigation disclosed hand-written case notes dated 12 December 2017 made by Ms Welbourne-Hull stating that the review meeting in regard to Child F had been cancelled due to bad weather.
77. Ms Hudson texted Child F explaining that the intended meeting had been cancelled due to ice. Ms Hudson understood that the meeting would be re-scheduled.
78. Ms Parry exhibited the CIC Review Outcome Record made by Ms Welbourne-Hull which states that the meeting had taken place on 12 December 2017. The records further vouch that:
- the meeting was conducted at placement
 - mother, father, allocated social worker and keyworker were all invited to the review and attended.
79. Ms Welbourne-Hull again suggested to Ms Parry in her investigation that the meeting had taken place, but remotely, by telephone.
80. Ms Parry's evidence was that meetings of this nature cannot take place by telephone. She took the panel to the IRO handbook which states that *'Reviewing must be understood as a flexible process that will vary in relation to each child. It may be one standalone meeting attended by all the relevant people in the child's life, or a number of meetings, with one central meeting attended by the IRO, the child, the social worker, and some of the relevant adults on the child's life. It will be for the IRO and the social worker, in consultation with the child to agree the best way to manage the process for each child before review'*
81. The panel was satisfied that such a meeting cannot be conducted remotely, by telephone. In any event, the panel was satisfied that the intended meeting had not in fact taken place.

Regulatory concern 3 – found proved

Your actions at paragraph 2 were dishonest in that you deliberately recorded that a CIC Review meeting had taken place when you knew it had not.

82. The panel applied the objective test for dishonesty mandated by the Supreme Court in *Ivey v Genting casinos (UK)LTD* [2017] UKSC 67.

83. The panel first determined objectively what Ms Welbourne-Hull understood when she completed the relevant records in regulatory concern 2.
84. The panel determined that Ms Welbourne-Hull knew that the meetings had been cancelled. She therefore knew that in certifying in the records that;
- the meetings had taken place in placement,
 - that appropriate persons had attended,
 - that she had made observations in placement,
 - the records would be understood by anyone reading them that the meeting had taken place in person,
- that the records she made were false and would mislead anyone reading them.
85. The panel determined that when Ms Welbourne-Hull was offered an opportunity to correct matters in Ms Parry's investigation and to acknowledge the truth; she asserted misleadingly that the records were intended to certify that the meetings had taken place by telephone. The panel considered that this served to corroborate Ms Welbourne-Hull's state of mind when completing the false records.
86. Ms Welbourne-Hull was an experienced and senior social worker and IRO. She knew what was expected to be encompassed by such reviews. She knew that these reviews had not taken place. She knew that these reviews could not take place remotely. She knew that she had not attempted to undertake the reviews remotely. She knew that her false records of the cancelled reviews were fictitious.
87. The panel then considered whether an ordinary and decent person, knowing Ms Welbourne-Hull's state of mind, would consider what Ms Welbourne-Hull had done to be dishonest. The panel was satisfied that this was so.
88. No ordinary and decent person would regard the knowingly false certification of important case records, required by statute to ensure the care and wellbeing of vulnerable service users, as anything other than a dishonest thing to do.

Finding and reasons on grounds

89. Having found heads of concern 1 (except limbs d and e), 2 and 3 proved, the panel went on to decide under rule 32 whether Ms Welbourne-Hull's actions amounted to one of the statutory grounds for impairment in terms of regulation 25(2); in this case, misconduct.
90. Ms Bruce-Jones submitted that the particulars were sufficiently serious to constitute misconduct and referred the panel to 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) (the 2016 standards). The panel accepted the legal adviser's advice.

91. The panel 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.
92. The panel identified several breaches of the 2016 standards by Ms Welbourne-Hull. They were:
1. Maintain appropriate boundaries:
 - 1.7 You must keep your relationships with service users and carers professional.
 6. Manage Risk – identify and minimise risk
 - 6.1 You must take all reasonable steps to reduce the risk of harm to service users, carers, and colleagues as far as possible.
 - 6.2 You must not do anything or allow someone else to do anything which could put the health or safety of a service user, carer, or colleague at unacceptable risk.
 9. Be honest and trustworthy – personal and professional behaviour
 - 9.1 You must make sure that your conduct justifies the public's trust in you and your profession.
 - 9.4 You must declare issues that might create conflicts of interest and make sure that they do not influence your judgement.
93. The panel carefully considered the nature and gravity of each of the particulars found proved.

94. The panel considered that the breaches of regulatory concern 1 by Ms Welbourne-Hull had significant adverse impacts on a vulnerable young service user, Child A, her adoptive parents, her birth mother and on Ms Welbourne-Hull's professional colleagues. Ms Welbourne-Hull maintained continual and repeated contact with Child A, service user C and the adoptive parents over a 10-year period. This was intrusive, inappropriate, and not in the best interests of Child A. The panel found that Ms Welbourne-Hull had breached the HCPC 2016 standards for an extended time regarding her failure to maintain appropriate boundaries and her failure to manage risk. Ms Welbourne-Hull had demonstrated an absence of understanding of the potential and actual serious impact which her actions had had on the very people who were in need of wise and professional support and guidance.
95. The panel considered that the breaches by Ms Welbourne-Hull of the 2016 standards in regulatory concern two were deliberate, extended between November 2017 and early February 2018, and were harmful. Several professional colleagues had been misled and the parents of Child F had complained. Child F had felt let down and the parents of Child E were distressed by the false reports generated by Ms Welbourne-Hull. The false reports contained a lot of invented detail of purported multi-party meetings regarding two vulnerable service user children and extended to the creation of six documents in total. Ms Welbourne-Hull had been appointed to a position of great responsibility and trust as an IRO.
96. The panel considered that Ms Welbourne-Hull's dishonesty also breached the 2016 standards.
97. Ms Welbourne-Hull had not managed the multiple risks, had failed to keep clear and accurate records, and had not been honest. The panel considered that professional colleagues would regard Ms Welbourne-Hull's conduct as deplorable and unacceptable. In the panel's view, the reputation of the profession may have been damaged by Ms Welbourne-Hull's actions and the trust and confidence placed in social workers by vulnerable service users had been jeopardised. Ms Welbourne-Hull's dishonesty amounted to a breach of one of the fundamental tenets of the profession which can be regarded as the bedrock of the profession of social work. The public expects honesty in social workers, in part because of the power that professionals have over the lives of vulnerable service users. Any dishonesty by a social worker has the potential to erode the safety and wellbeing of service users who need to be able to place great trust in the social workers appointed to help them.
98. The panel considered that each of the heads of regulatory concern on their own was enough to amount to misconduct. The gravity of Ms Welbourne-Hull's misconduct is also shown by the breadth of Ms Welbourne-Hull's breaches of the 2016 standards.

In the panel's view, trust and confidence in the profession would be undermined if it did not find misconduct.

99. The panel found that Ms Welbourne-Hull's actions were serious and can be properly described as serious professional misconduct. The panel considered that fellow professionals would view the actions of Ms Welbourne-Hull to be deplorable.
100. Therefore, the panel found that the matters found proved in regulatory concerns 1, 2, and 3 both individually and taken together amounted to misconduct.

Finding and reasons on current impairment

101. Having found misconduct, the panel went on to consider whether, as a result of that misconduct, Ms Welbourne-Hull's fitness to practise is currently impaired.
102. In reaching its decision, the panel was mindful that the question of impairment is a matter of the panel's professional judgement. The panel was required to determine whether the social worker's fitness to practise is impaired as of today's date.
103. The panel took into account all of the evidence that it had received during the proceedings, the submissions made by Ms Bruce-Jones and the written submissions made by the social worker in which she expressed the view that she had been treated unfairly by her professional colleagues in the respective workplace investigations.
104. The panel took into account the Sanctions Guidance published by Social Work England and in particular pages 8 to 12 which outlined the factors to be taken into account when determining impairment.
105. The panel also took into account the guidance provided in *Cohen v General Medical Council* [2008] EWHC 581. The panel considered:
- (i) whether the Registrant's conduct was easily remediable;
 - (ii) whether it had been remedied; and
 - (iii) whether it was highly unlikely to be repeated.

The panel concluded that it was not easy to remedy any one aspect of the regulatory concerns, all of which had revealed a troubling, underlying attitudinal predisposition by Ms Welbourne-Hull.

106. In concern 1, Ms Welbourne-Hull had not offered any explanation for her conscious transgression of appropriate professional boundaries which existed in the best interests of Child A, her family, and her carers. Ms Welbourne-Hull suggested in her limited contact with her regulator that she had, in effect, been put upon by Child A and her adoptive parents. She, however, must be taken to understand, as any social worker would understand, the fundamental importance of enforcing appropriate professional boundaries. The precise circumstances which finally occurred in 2018 may not have been predictable, however any social worker and an informed member of the public, would immediately recognise that the circumstances were made possible by Ms Welbourne-Hull's voluntary breaching of those boundaries over a 10-year period. The unintended consequences were harmful and upsetting for everyone involved. The panel found that the continued breaching of boundaries over a very long time could only be explained by Ms Welbourne-Hull's attitude towards her professional responsibilities.
107. The panel found that Ms Welbourne-Hull's actions in concern 2 also suggested an underlying harmful attitude held by Ms Welbourne-Hull that permitted her to conceive, execute and maintain for a considerable time that wholly fictitious statutory review meetings had taken place. The detail in the records was troubling. When offered an opportunity to own the truth, Ms Welbourne-Hull deflected questions and avoided scrutiny, which was wholly at odds with her obligations as a social worker. The confusion, hurt and distrust which must have arisen from her actions had never been accepted by her in her dealings with her regulator.
108. The panel recognised that dishonesty, while deeply troubling, may have a context or a background which might help to explain, though not excuse, the concerns. Dishonesty is difficult to remediate but in the panel's view, the process of remediation could be identified in a social worker who has attempted to re-balance her or his professional centre of gravity. The panel has been unable to identify anything like that in Ms Welbourne-Hull's limited engagement. She suggested instead that she was the victim of unfairness by her managers and of an overwhelming workload. However, the panel paid close attention to the amount of work necessary by Ms Welbourne-Hull to create the strikingly detailed false records which she did. In reality, the only thing absent from the work put into the records was a rearranged review in each case.
109. The panel considered that there had not been any material recognition by Ms Welbourne-Hull of the extent of her misconduct, and the impact that it had on vulnerable service users, their families, and their carers, and on her professional colleagues. The dishonesty found proved in this case was not easily remedied

and the panel had no evidence of remediation from the social worker. The panel noted that the social worker had no previous regulatory findings recorded against her, however, it had no character evidence or recent testimonials. The panel also considered the level of insight shown by Ms Welbourne-Hull in her written engagement to be skewed and centred on herself. In particular, she did not address how her misconduct could have, and indeed did, put services users at risk of harm or the wider impact of her misconduct on the reputation of the profession. The panel was of the view that there could have been a real and significant risk of harm to service users as a result of her misconduct.

110. The panel considered and applied the following test borrowing from the Fifth Shipman Report and formulated in the High Court by Cox J in *Council for Healthcare Regulatory Excellence v Nursing and Midwifery Council and Grant* [2011] EWHC 927 (Admin) at paragraph 76:

‘Do our findings of fact in respect of [Ms Welbourne-Hull’s] misconduct, ... show that her fitness to practise is impaired in the sense that she:

(a) has in the past acted and/or is liable to act in the future so as to put a [service user] or at unwarranted risk of harm; and/or

(b) has in the past brought and/or is liable in the future to bring the [social work] profession into disrepute; and/or

(c) has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the [social work] profession; and/or

(d) has in the past acted dishonestly and/or is liable to act dishonestly in the future?’

111. The panel was in no doubt that Ms Welbourne-Hull’s misconduct, in this case, engages all four of the limbs in the Grant test.

112. The panel was satisfied that Ms Welbourne-Hull’s actions in her contact with Child A over 10 years had wrongly assured the child and her adoptive parents that Ms Welbourne-Hull acted as a source of support and help. This was wholly at variance with what could realistically be achieved by Ms Welbourne-Hull in a crisis. It also adversely influenced the ability of Child A’s social worker to take the initiative constructively and positively. It soon became obvious that Ms Welbourne-Hull could not parent Child A and wished to be rid of her, made empty statements to Child A which must have been hurtful and confusing for the child, given the strength of the accusative statements made by Child A. Ms Welbourne-Hull had not shown any remorse for the results of her misconduct and had not reflected on the impact it had had on others. Accordingly, Ms Welbourne-Hull had

acted in a way that placed a vulnerable child, her adoptive parents, and her birth family at real risk of harm. Her absence of insight and remediation strongly suggested that she had the potential to do so again in other circumstances.

113. Ms Welbourne-Hull had, in the panel's view, placed both Child E and Child F at real risk of harm in taking steps to circumvent, in effect, a rearrangement of an important statutory review of their lives and needs. Again, Ms Welbourne-Hull's reflections on this episode were centred on the impact on her and there had been no material appreciation of the harm to the children for whom she was responsible. Accordingly, the panel was satisfied that Ms Welbourne-Hull could act in this way again in future.

114. The panel was also satisfied that Ms Welbourne-Hull's actions had brought the profession into disrepute. Social Workers occupy a position of privilege and trust in society and are expected at all times to be professional, placing the needs of service users above their own. The public also expects social workers to act conscientiously to discharge their statutory obligations in securing reviews which are meaningful, complete, and focused on the needs of the child. By acting in a way that deprived both children of their right to a review and by confusing professional colleagues and causing distress to families, Ms Welbourne-Hull's actions undermined public trust and confidence in the profession. The panel, therefore, determined that limb (b) of the test was also engaged.

115. In the view of the panel, honesty is a fundamental tenet of the profession and the social worker's misconduct, in this case, involved deliberate and calculated dishonesty, limbs (c) and (d) of the Grant test were both therefore engaged.

116. In the absence of up-to-date information from Ms Welbourne-Hull of any significant steps taken by her to address her dishonesty or to demonstrate meaningful insight, the panel determined that the social worker's fitness to practise is currently impaired on the grounds of public protection.

117. Furthermore, the panel considered that the confidence in the profession held by a fully informed member of the public who was aware of the circumstances of this case would be undermined if a finding of impairment was not made. The panel was therefore of the view that a finding of current impairment was required to declare and uphold standards of conduct and to maintain confidence in the profession.

118. The panel, therefore, found Ms Welbourne-Hull's fitness to practise to be impaired on the grounds of public protection and in the wider public interest.

Decision on sanction

119. Ms Bruce-Jones submitted that the panel's findings in respect of Ms Welbourne-

Hull's impairment required that a sanction be imposed for public protection. Ms Bruce-Jones took the panel to relevant sections of the Sanctions Guidance published by Social Work England and submitted that the appropriate and proportionate sanction was a suspension order for 12 months.

120. Ms Bruce-Jones invited the panel to consider that very little evidence of remorse, insight and remediation had been found. Accordingly taking no action, giving advice or issuing a warning would not be appropriate or workable. She reminded the panel that its findings in respect of Ms Welbourne-Hull's underlying attitudinal issues were likely to make a conditions of practice order impractical, since conditions of practice were more often appropriate in matters of clinical failings. In any event, the Sanctions Guidance reminds panels that dishonesty is not usually met by a conditions of practice order.

121. Ms Bruce-Jones invited the panel to consider that Ms Welbourne-Hull had been regarded as a committed and passionate member of the profession for a long time. Ms Welbourne-Hull had admitted that in hindsight, it was a mistake to offer Child A place to stay with her as the child's carer. While there was very little evidence of remediation, in Ms Bruce-Jones' submission, Ms Welbourne-Hull had been a skilled and experienced social worker, working at an advanced level of responsibility. Accordingly, Ms Welbourne-Hull was likely to be able to respond in a constructive way to a suspension order with a view to a return to unrestricted practice in due course. Ms Bruce-Jones reminded the panel that a sanction was not intended to punish a social worker but rather to protect the public in a proportionate way and, if possible, restore the social worker to unrestricted professional practice.

122. The panel accepted the advice of the legal adviser.

123. The panel reminded itself that the purpose of imposing a sanction is not to punish the social worker, but to protect the public including securing the wider public interest of maintaining trust and confidence in the profession. The panel's objective was to consider what sanction, if any, was necessary in order to fully protect the public, applying the least restrictive but equally effective alternative in every case.

124. Before considering the individual options open to it, the panel identified what it considered to be the relevant aggravating and mitigating features in the case.

125. The panel identified the following mitigating factors:

- The limited admissions made by Ms Welbourne-Hull regarding Child A;
- Ms Welbourne-Hull had no previous regulatory findings recorded against her;
- Ms Welbourne-Hull reported that she had difficult family circumstances in 2017 and 2018; Ms Welbourne-Hull had said that she felt

unsupported in her roles during this time;

- There had been some engagement with the fitness to practise process and she had been unable to face taking part in the proceedings, emotionally.

126. The panel identified the following aggravating factors:

- Ms Welbourne-Hull's dishonesty was intentional and persisted for months;
- She had not expressed remorse or empathy for Child E or for Child F despite the harmful impact her dishonesty had on them and their families;
- Ms Welbourne-Hull has demonstrated only very limited insight into one aspect of her conduct;
- Ms Welbourne-Hull was in a senior position of responsibility,
- There is a real risk of repetition of boundary breaches and dishonesty with harmful consequences for service users.

127. The panel had regard to paragraph 1 of the Sanctions Guidance which states:

'Social Work England's overarching objective is to protect the public. We do so by protecting, promoting, and maintaining the health and well-being of the public; by promoting and maintaining public confidence in social workers in England; and by promoting and maintaining proper professional standards for social workers in England. Our fitness to practise powers enable us to deliver this overarching objective through proportionate sanctions where an individual social worker's fitness to practise is impaired.'

128. The panel then went on to consider each of the available sanctions in ascending order of restrictiveness.

129. The panel first considered whether this was an appropriate case for it to take no further action, or to impose an advice or warning order. In the panel's view, the misconduct found proved in this case was serious and involved dishonesty. The panel had identified a continuing risk to the public caused by Ms Welbourne-Hull's continuing lack of insight. Ms Welbourne-Hull had not remediated her misconduct. The panel noted that these sanctions would place no active restriction on Ms Welbourne-Hull's practice should she return to the profession. Accordingly, the panel concluded that to take no further action, or to impose an advice or warning order would be insufficient to protect the public and would fail to address the wider public interest concerns in this case.

130. The panel next considered the imposition of a conditions of practice order. The

panel had regard to the Sanctions Guidance and noted that such orders are more commonly appropriate in cases involving errors in clinical practice, a lack of competence, or ill-health. In this case, the misconduct found was the breaching of professional boundaries over an extended period and the dishonest construction and submission of wholly fictitious reviews. Child F and Child E were placed at risk and disadvantage by this. Their statutory reviews were missed and the effect, had matters not come to light, would have been that months would have passed before the next scheduled review. Ms Welbourne-Hull had not demonstrated any understanding of this, or any remorse or any commitment to act differently if the opportunity arose. The panel could have no confidence that Ms Welbourne-Hull would meaningfully engage with a conditions of practice order.

131. In any event, Ms Welbourne-Hull's expressed wish to return to some form of practice that required registration appeared, on the face of it, to lack any appreciation of the commitment and application necessary to return to unrestricted practice. She had no appreciation that her actions had resulted in damage to the public's trust and confidence in the profession. The panel therefore concluded that in all of these circumstances, it was not possible to formulate any workable conditions that would address this misconduct or adequately protect the public or address the wider public interest concerns.

132. The panel gave careful consideration to the imposition of a suspension order. The panel noted that a suspension order would protect the public as it would temporarily remove Ms Welbourne-Hull from the Social Work England register. The panel also noted that in suitable cases, a suspension order could also mark the wider public interest concerns, including upholding standards and maintaining confidence in the profession. The panel had regard to paragraph 96 of the Sanctions Guidance which states:

'...If the suspension is aimed primarily at maintaining confidence in the profession or setting the professional standards to be observed, then a sanction of suspension up to one year may be appropriate. Given the risk of deskilling, decision makers should consider whether a case warranting a period of suspension longer than one year on the grounds of public confidence might be more appropriately disposed of by means of a removal order.'

133. The panel also had regard to paragraphs 106-109 of the Sanctions Guidance. In the panel's view paragraph 106 is of particular significance in this case. It provides:

'Social workers are routinely trusted with access to people's homes, and highly sensitive and confidential information. They are also routinely trusted to manage budgets including scarce public resources. Any individual dishonesty is likely to

threaten public confidence in the proper discharge of these responsibilities by all social workers.'

The panel considered that these observations had direct relevance for Ms Welbourne-Hull's dishonest actions. She could have rearranged the CIC reviews but instead created confusion, hurt and mistrust with the result that inevitably the trust in social workers held by service users and their families was diminished.

134. The impact of serious dishonesty was further set out at paragraph 109 of the guidance.

'Evidence of professional competence cannot mitigate serious or persistent dishonesty. Such conduct is highly damaging to public trust in social workers and is therefore usually likely to warrant suspension or removal from the register.'

Although the panel received no testimonials on Ms Welbourne-Hull's behalf, it accepted that Ms Welbourne-Hull had been a skilled and experienced social worker. She had been promoted a number of times in her career to occupy positions of responsibility, including as an IRO. Her breaches of professional boundaries had continued for a period of about ten years and yet no issue had arisen until 2018. Her apparent competence as a social worker could not, as said in the guidance, mitigate her dishonesty in regard to the ostensible CIC reviews for Child E and Child F.

135. Taking this guidance into account, the panel concluded that Ms Welbourne-Hull's dishonesty in this case was particularly serious. Harm and the potential for further harm had resulted. The panel was satisfied that this not only had the potential to place service users at risk of significant harm but would unquestionably undermine public confidence in the profession.

136. The panel had no evidence that Ms Welbourne-Hull had properly reflected on and understood the seriousness of her misconduct and very little evidence of insight. This was not a case where the social worker has expressed a positive desire to return to unrestricted practice, acknowledging the significant hurdles to be overcome by her in pursuing that goal. The panel concluded that in all of the circumstances, it would be failing in its duty to protect the public if it were to support the safe return to practice of a trained and skilled social worker.

137. Taking all of the above factors into consideration, the panel concluded that a suspension order would not be the appropriate and proportionate sanction in this case.

138. The panel had particular regard to paragraph 97 of the Sanctions Guidance which reads:

'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. A decision to impose a removal order should explain why lesser sanctions are insufficient to meet these objectives.'

139. Accordingly, the panel concluded that a removal order was the only sanction that would sufficiently protect the public, maintain confidence in the profession and maintain proper professional standards of conduct and behaviour for social workers in England.

Interim order

140. Ms Bruce-Jones made an application for an interim suspension order for a period of 18 months in case Ms Welbourne-Hull exercises her right to appeal to the High Court against the decision of this panel.

141. The panel accepted the advice of the legal adviser who advised that in accordance with Paragraph 11(b) of Schedule 2 of the regulations the panel may make any interim order it considers is necessary for the protection of the public, which includes the public interest, or in the best interests of the social worker. He also advised the panel that an interim order can only be made if it is necessary and must not be merely desirable.

142. For the reasons set out in the substantive decision, the panel was satisfied that there remained an ongoing risk to service users and therefore concluded that an interim order was necessary to protect the public. Furthermore, for the reasons set out in its substantive decision the panel was also satisfied that an interim order is in the wider public interest in that an ordinary member of the public would be troubled to learn that the social worker was entitled to practise if an order was not made to cover the statutory appeal period.

143. The panel considered whether an interim conditions of practice order would be sufficient in the circumstances, but concluded, for the same reasons as set out in its substantive decision, that such an order would be insufficient in the circumstances of this case.

144. For the reasons above, the panel concluded that an interim order of suspension was necessary for the protection of the public and was also required in the public interest.

145. The panel gave consideration to the length of the interim order and concluded that a period of 18 months was appropriate in order to allow sufficient time for an appeal to be heard by the High Court if Ms Welbourne-Hull exercises her right to appeal.

146. The panel therefore decided to impose an interim suspension order for a period of 18 months under paragraph 11(1)(b) of Schedule 2 of The Social Workers Regulations 2018. If there is no appeal against the final order, the order will expire after 28 days from notice of this decision, when the appeal period expires. If there is an appeal against the final order, the order expires when the appeal is withdrawn or otherwise finally disposed of.

Right of Appeal

147. 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.

148. 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.

149. 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.

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