



Social Worker: Alison Blunt

Registration Number: SW44284

Fitness to Practise: FTP-71844

Final Hearing

Dates of hearing: — Monday 08 August to Friday 12 August 2022

Hearing Venue: Remote hearing

Hearing outcome: Removal order

Interim order: Interim suspension order (18 months)

Introduction and attendees

1. This is a hearing held under Part 5 of The Social Workers Regulations 2018.

2. Ms Blunt did not attend the hearing and was not represented.
3. Social Work England was represented by Mr Alex Lawson, as instructed by Capsticks LLP.

Adjudicators	Role
Clive Powell	Chair
Beverley Blythe	Social Work Adjudicator
Ian Dawes	Lay Adjudicator

Andrew Brown	Hearings Officer
Natarliya James	Hearing Support Officer
Helen Gower	Legal Adviser

Service of Notice:

4. Ms Blunt did not attend and was not represented. The panel of adjudicators (hereafter “the panel”) was informed by Mr Lawson that notice of this hearing was sent to Ms Blunt by Royal Mail special delivery and by e-mail in accordance with the details on the Social Work Register (the Register). Mr Lawson submitted that the notice of this hearing had been duly served.
5. The panel of adjudicators had careful regard to the documents contained in the final hearing service bundle as follows:
 - A copy of the notice of the final hearing dated 6 July 2022 and addressed to Ms Blunt at her postal and e-mail addresses as they appear on the Social Work England Register;
 - An extract from the Social Work England Register detailing Ms Blunt’s registered postal and e-mail addresses;
 - A copy of a signed Statement of Service, on behalf of Social Work England, confirming that on 6 July 2022 the writer instructed an agent to send the Notice of Hearing and related documents by special next day delivery to Ms Blunt at the address held by Social Work England;
 - A copy of the Royal Mail Track and Trace Document indicating “signed for” delivery to Ms Blunt’s registered address on 7 July 2022.
6. The panel accepted the advice of the legal adviser in relation to service of notice.

7. Having had regard to all of the information before it in relation to the service of notice, the panel was satisfied that notice of this hearing had been served on Ms Blunt in accordance with rule 14, 15, 44 and 45 of Social Work England (Fitness to Practise) Rules 2019 (“the Rules”).

Proceeding in the absence of Ms Blunt:

8. The panel heard the submissions of Mr Lawson on behalf of Social Work England. Mr Lawson submitted that notice of this hearing had been duly served, and that it was appropriate to proceed in the absence of Ms Blunt in the interests of justice and the expeditious disposal of this hearing.
9. 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 the cases of *R v Jones [2003] UKPC*; *General Medical Council v Adeogba [2016] EWCA Civ 162 etc*; and Rule 43 of the Rules.
10. The panel considered all of the information before it, together with the submissions made by Mr Lawson on behalf of Social Work England. The panel noted that Ms Blunt had been sent notice of today’s hearing and the panel was satisfied that she was or should be aware of today’s hearing. The panel noted that Ms Blunt has provided written submissions in relation to the regulatory concerns and that she stated that she was unable to attend any hearings. She states that she has found the process very difficult and that it has affected her health. In the light of these comments and the absence of any response to the notice of hearing, the panel concluded that Ms Blunt has waived her right to attend the hearing and that an adjournment would not be likely to secure her attendance.
11. The panel also noted that in her comments Ms Lawson made some admissions and stated that she no longer wished to work as a social worker. Having carefully balanced the interests of Ms Blunt in regard to her attendance at the hearing with those of Social Work England, the public interest in an expeditious disposal of this hearing, and the interests of the witnesses due to give oral evidence, the panel decided to proceed in Ms Blunt’s absence.

Allegation

Whilst registered as a social worker:

1. *Between approximately May 2018 and April 2019 you failed to adequately safeguard Child A and/or Child B, in that you:-*
 - 1.1 *Failed to inform your line manager of the disclosures made by Child A, namely that her uncle was being sexually inappropriate towards her during home visits;*

- 1.2 Following disclosure made by Child A allowed home visits to continue, knowing that her uncle would be present;*
- 1.3 Failed to initiate a section 47 investigation in respect of the disclosures of sexual abuse/assault made by Child A;*
- 1.4 Failed to inform your line manager of the concerns raised by Child A that Child B may also be at risk of inappropriate sexual behaviour by their uncle;*
- 1.5 Failed to inform your line manager of concerns raised that the Foster Carer of Child A was intoxicated;*
- 1.6 Failed to record the disclosures of sexual abuse/assault made by Child A on the children's case notes;*
- 1.7 Failed to raise the concerns for Child A and/or Child B in respect of alleged sexual abuse/assault during a handover of the file to another social worker.*

The matters outlined above amount to the statutory ground of misconduct.

By reason of misconduct, your fitness to practise is impaired

Preliminary matters

Hearing in private

- 12. Mr Lawson referred the panel to Ms Blunt's comments and particularly her request that "*you do not publish my name or any details of any hearing*". While the publication of the allegation and other details is not a matter for the panel, the panel may wish to consider whether it should exercise its powers under Rule 38 to hear all or part of the hearing in private. Mr Lawson agreed that it would be appropriate to hear part of the case in private where it involved details of Ms Blunt's private life.
- 13. The panel accepted the advice of the legal adviser. She reminded the panel of its powers under Rule 38 and the important principle of open justice. The exceptions to that principle are limited, and one of those exceptions is to protect the private life of an individual.
- 14. The panel decided that the hearing should be heard in public in accordance with the principle of open justice, but parts of the hearing should be heard in private when the panel was considering sensitive information relating to the private life of Ms Blunt or of the witnesses.

Application to admit hearsay evidence

15. Mr Lawson made an application to admit as hearsay evidence the witness statement of Ms Lockwood. This application was heard in private to protect the private life of Ms Lockwood.
16. The panel was provided with a sicknote and an e-mail from Ms Lockwood's manager. The panel inferred from the information provided that Ms Lockwood is currently unable to participate in the hearing to any extent and that this is not likely to resolve within a short period of time. Having considered the information provided, the panel did not consider that it was appropriate for further contact to be made with Ms Lockwood because such contact may negatively impact on her health.
17. The panel accepted the advice of the legal adviser. She advised that the question of the admissibility of hearsay evidence is different from the weight to be attached to hearsay evidence. That distinction is important and has been emphasised in the authorities including *Thorneycroft v Nursing and Midwifery Council* [2014] EWHC 1565 and *El Karout v Nursing and Midwifery Council* [2019] EWHC 28. She advised the panel on relevant factors to consider when deciding whether to admit hearsay evidence drawn from the case of *Thorneycroft v Nursing and Midwifery Council*.
18. The panel carried out a careful balancing exercise and decided that it was fair to admit the hearsay statement of Ms Lockwood. The panel noted that this was not a case where Ms Blunt has suggested that Ms Lockwood had reasons to fabricate her statement. To some extent Ms Blunt accepts the criticism set out in the allegation. The evidence to support the allegation is from a range of sources including documentary evidence. Therefore, Ms Lockwood's statement was not the sole or decisive evidence in support of the allegation. Although the evidence relating to the non-attendance of Ms Lockwood was limited, on balance the panel considered that it was sufficient and that it was not appropriate to add to Ms Lockwood's ill-health.
19. It would have been helpful if Ms Lockwood had attended and given oral evidence to assist the panel in exploring the context, particularly the supervision and support provided by Ms Lockwood to Ms Blunt. Ms Lockwood's evidence would have assisted the panel in evaluating aggravating and mitigating features. Nevertheless, the panel decided that it was not in the public interest to delay the case, and that it was fair and appropriate to admit Ms Lockwood's statement as hearsay evidence.

Background

20. On 20 June 2019, the Health & Care Professions Council ('HCPC') received a referral regarding Ms Blunt. The referral was made on behalf of Ms Blunt's employer, by Ms Rooke, who was Head of Social Work for Families at Westminster City Council. At the time of the concerns, Ms Blunt was employed as a Senior Social Work Practitioner at Westminster City Council ('the Council'). Ms Blunt had been employed at the Council from May 2017 until her dismissal in December 2019.

21. Ms Blunt was employed within a Social Work for Families team, which had responsibility for the bulk of work for children subject to Child Protection plans, Children in Need plans and children in care once they had been transferred from the assessment service. Ms Blunt was a senior social worker and primarily worked as a case-holding practitioner.
22. Child A (aged approximately 16 at the time) and Child B are siblings who became subject to Child Protection Plans. Child A was allocated to Ms Blunt in March 2018. Child A was considered very vulnerable: there had already been an allegation that her father had sexually abused her and she was living in overcrowded conditions at home. There were concerns regarding her relationship with another young person, her relationships at home and her school attendance. Child A was placed in foster care with FC1 under a section 20 agreement in May 2018. The section 20 agreement meant Child A had been voluntarily placed into foster care. FC was Child A's foster carer for three-and-a-half years. Child A struggled with anxiety and panic attacks at the start and needed to rebuild family relationships. She visited her family for contact nearly every weekend.
23. In or around May or June 2018, Child A made disclosures to FC1 that her uncle (who remained living in the family home with Child B) was sexually inappropriate towards her when she went to the home for visits. The allegations came within a month of arriving at her placement. Child A's allegations were that the uncle had inappropriately touched her. The detail of the allegations was that he had grabbed her breasts and bottom, and kissed her. Child A also later expressed her concern that Child B could also be subjected to this behaviour from their uncle.
24. It is alleged that Ms FC1 and Child A informed Ms Blunt of these concerns and allegations of sexual abuse. FC1 believed that Ms Blunt would deal with them and was not told to take further action herself. However, contact was allowed to continue between Child A and her family, and it is alleged that Ms Blunt did not take any action to escalate the concerns to her line manager or to the police. The case notes of Child A contain a reference on 18 June 2018 to Child A reporting that she had been sexually touched by her uncle, but the listed action is that the Social Worker would discuss it with the family. There is no documentary evidence of the Social Worker reporting the disclosures to anyone or to opening a s47 assessment, which would be the expected step after sharing the information with her manager. It is alleged that Ms Blunt failed to take action once she knew of the disclosures and failed to raise concerns for the safety of the children with her supervisor.
25. On 12 February 2019, the Head Teacher at Child A's school raised additional concerns in respect of the safety and wellbeing of Child A in her Foster placement,

after Child A had reported returning home to find her foster carer intoxicated. Ms Blunt sent an e-mail to the Head Teacher on 4 March 2019 acknowledging these concerns for Child A, indicating that they were already known to the Council and that they were *'dealing with the issues'*. The reply from the Headteacher on 8 March 2019 referred to Child A disclosing that her uncle was inappropriately touching Child B. Ms Blunt replied later on 8 March 2019 and wrote *'I am aware of [A's] worries about her uncle. We don't have many concerns about her brother but we are doing some safety work with him.'*

26. In April 2019, a decision was made to transfer the case relating to Child A to the Looked After Children Team of the Council, and a new social worker, Ms Stoneman, was allocated to take over the conduct of Child A's case. A transfer discussion meeting took place on 17 April 2019, including attendance by the Social Worker and Ms Stoneman, and a joint visit took place with Ms Blunt and Ms Stoneman to meet Child A on 24 April 2019.
27. On 30 April 2019 an fostering agency incident log recorded that Child A had made disclosures of sexual abuse against their uncle over a period of months, and that this had previously been reported to Ms Blunt. The disclosures from Child A included details of the uncle touching her between her legs, touching her breasts and bum, kissing her, as well as the uncle touching other family members in a sexual way.
28. The disclosures from Child A were reported by the fostering agency to the Council on 1 May 2019. Following this report, a section 47 investigation was initiated by the Council and the matter was reported to the police. Child A expressed some confusion about why this action was taken at this time, and not earlier. Child A was unable to support a criminal prosecution of the uncle and was worried it would alienate her from her family.
29. On 1 May 2019, Ms Rooke was informed of the concerns relating to the Social Worker. The Social Worker was subsequently suspended by the Council on 2 May 2019 pending an internal investigation.
30. On 17 July 2019, Ms Blunt attended an interview with the Council's investigating officer accompanied by her Union representative. The records of the interview record that Ms Blunt said:
 - a. The case was allocated to her in March 2018;
 - b. She referred to previous concerns about Child A's uncle;
 - c. She had a telephone conversation in June 2018 with the foster carer about the uncle's inappropriate touching and put a case note on Mosaic (the Council's recording system) about it;
 - d. She thought she had spoken to Ms Lockwood because she discussed everything with her and would normally seek her manager's approval to ensure she was doing the right thing;

- e. She could not think of a reason why she did not discuss Child A's concerns;
- f. She did not recall a specific allegation put to her in the interview of Child A disclosing being touched on her breasts at dinner;
- g. She said she saw Child A on a regular basis and the focus of Child A's concerns was her brother, Child B, rather than herself;
- h. She did not recall Child A making 'any disclosures', accepting it was possible she did but Ms Blunt did not remember;
- i. She said she definitely added a case note on Child A's Mosaic file about touching and would have spoken to her manager, adding that in the event of disclosure she would have investigated it;
- j. Ms Blunt did recall Child A disclosing that her uncle had made her feel uncomfortable but did not recall disclosures of touching made to her directly – adding that 'this doesn't mean she didn't';
- k. The Social Worker said that she did add the concerns about Child B onto Mosaic;
- l. Having been told of the disclosures of regular sexual touching made by Child A, the Social Worker said she did not know about this and Child A had not told her;
- m. In respect of the 12 February 2019 email from a representative from Child A's school, Ms Blunt said she thought she raised it with FC1's supervising social worker.

Summary of Evidence

i) Social Work England

- 31. The panel read the bundle of exhibits which included the disciplinary report and supporting documents, case notes for Child A and Child B, supervision records, e-mail correspondence, and minutes of meetings.
- 32. The panel heard evidence from Ms Rooke. The panel's questions to Ms Rooke included the topics of Ms Blunt's workload and the responsibilities relating to supervision of a student, support for Ms Blunt particularly in relation to events in her personal life, and Ms Blunt's attributes as a social worker.

33. The panel heard evidence from Ms Stoneman. Her recollection of the details of her involvement in the matter was limited, but she did her best to assist the panel.
34. The panel heard evidence from FC1. She was invited by the Presenting Officer to elaborate on the detail of Child A's disclosures. The panel's questions related to evidence contained in the disciplinary investigation report which suggested that for a short period of time after Child A's disclosure in the summer of 2018, there had been a break of about a week in Child A's weekend contact with her family. FC1 also confirmed that there had been discussions about the sleeping arrangements.

ii) Social worker

35. The panel noted Ms Blunt's comments in a response to Capsticks dated 26 January 2021 and in an undated document containing "observations". Ms Blunt advised that she did not wish to recount her summary of events and she referred to the minutes of a meeting with her on 17 July 2019 which was recorded as part of the disciplinary investigation. Ms Blunt stated that *"I have found the procedure very difficult and am absolutely devastated that I have not protected A, a young person who I had a good relationship with and was making good progress"*.

Finding and reasons on facts

36. The panel accepted the advice of the legal adviser. The legal adviser reminded the panel that the burden of proof is on Social Work England and the standard of proof is the balance of probabilities.

Particular 1.1

Failed to inform your line manager of the disclosures made by Child A, namely that her uncle was being sexually inappropriate towards her during home visits

37. The panel found particular 1.1 proved by the documentary evidence, the hearsay evidence of Ms Lockwood, and the evidence of FC1 and Ms Rooke. The panel gave weight to the hearsay evidence of Ms Lockwood because it was consistent with the documentary evidence and because it was not challenged by Ms Blunt.
38. The panel found that Child A disclosed that her uncle was being sexually inappropriate towards her. This disclosure was made in or around June 2018 and was recorded in Child A's case notes by Ms Blunt. The relevant case note record made by Ms Blunt is dated 18 June 2018 and states *"Child A disclosed to [FC1] that her uncle had touched her inappropriately"*. This corresponds with Ms FC1's log entry dated 17 June 2018.
39. Mr Lawson invited the panel to find that there were further disclosures made by Child A after the first disclosures in June 2018, but the panel found that Social Work England had not discharged the burden of proof. FC1's oral evidence was that there

were subsequent discussions between Ms Blunt and Child A about Child A's uncle, but that these may have related to historical events. There are no records in the contemporaneous documents of further disclosures. The later disclosure by Child A through her school in March 2019 related to Child B, rather than the uncle's conduct towards Child A herself.

40. The panel found that Ms Blunt did not inform her manager, Ms Lockwood. There is no record in any of the contemporaneous evidence that she did so and no record of any discussion or further steps. Ms Blunt's written record in Child A's case notes does not state that Ms Lockwood was informed or that Ms Blunt took any action. The disciplinary investigation interviews provided no evidence that Ms Blunt had informed her manager. Ms Lockwood's hearsay evidence was that she had no knowledge of Child A's disclosure in June 2018.
41. When she was interviewed as part of the disciplinary investigation Ms Blunt initially said that she *"would have talked to her manager"*, but she was unable to explain why there was no completed section 47 report (an enquiry to decide whether and what type of action is required to safeguard the welfare of a child). In her comments to Social Work England Ms Blunt stated: *"I accept that I have not protected A appropriately and have left her at risk. I dispute some of the claims made that I was told on more than one occasion that she was being touched by her uncle, however, being told once should have been enough to make me take action"*.
42. Ms Rooke explains in her evidence that social workers would be expected to share significant information with their manager so that there would be an opportunity for the local authority or the police to investigate and to take any necessary action to safeguard Child A. There is an expected procedure, the London Child Protection procedures, which provides a structure for investigating potential abuse.
43. Ms Blunt's failure to inform her manager had the consequence that the process of discussion and analysis of the risks did not begin and that Child A was not adequately safeguarded.

Particular 1.2

Following disclosure made by Child A allowed home visits to continue, knowing that her uncle would be present The panel found particular 1.2 proved by the documentary evidence, the evidence of Ms FC1 and Ms Rooke, and the hearsay evidence of Ms Lockwood.

44. There is no record in Child A's case notes that a safety plan was put in place or that there were any formal restrictions placed on Child A's visits to her family. The case

notes indicate that the home visits continued. When she was interviewed as part of the disciplinary process Ms Blunt did not suggest that the home visits did not continue.

45. The panel noted a reference in the documentation obtained as part of the disciplinary investigation to contact between Child A and her family being stopped for one week and then resuming. While there may have been a short gap in the contact, there was no evidence of any formal assessment, safety plan, analysis, or evaluation.
46. Ms Blunt knew that home visits were continuing when there had been no investigation of the potential risks for Child A. She therefore failed to adequately safeguard Child A.

Particular 1.3

Failed to initiate a section 47 investigation in respect of the disclosures of sexual abuse/assault made by Child A

47. The panel found particular 1.3 proved by the documentary evidence, the evidence of Ms Rooke, and the hearsay evidence of Ms Lockwood.
48. There is no section 47 investigation in relation to the disclosure recorded by Ms Blunt on 18 June 2018. Ms Blunt has acknowledged that there should have been a section 47 investigation, but she does not suggest that one was carried out.
49. When Ms Stoneman became aware of Child A's disclosures she spoke to her manager and a strategy meeting and a section 47 investigation were subsequently arranged.
50. Ms Rooke explains in her evidence that the concerns should have been escalated to a Section 47 child protection investigation. Ms Blunt had not taken steps to enable a formal process in which Child A could be safeguarded.

Particular 1.4

Failed to inform your line manager of the concerns raised by Child A that Child B may also be at risk of inappropriate sexual behaviour by their uncle

51. The panel found particular 1.4 proved by the documentary evidence, the evidence of Ms Rooke, and the hearsay evidence of Ms Lockwood. The panel gave weight to Ms Lockwood's hearsay evidence because it was consistent with the documents and was not challenged by Ms Blunt.
52. The exhibits bundle included an e-mail sent from a representative of Child A's school to Ms Blunt dated 8 March 2019. This e-mail stated: "A told me her 6 year old

brother is not looked after properly and that her uncle is inappropriate with him (touching him up), also that he is not considered high risk any more so nobody comes to check him.” Ms Blunt replied to this e-mail on 8 March 2019: “Thanks for letting me know. I am aware of A’s worries about her uncle. We don’t have many concerns about her brother but we are doing some safety work with him.”

53. This e-mail correspondence demonstrates that Ms Blunt was aware either on or prior to 8 March 2019 that Child A had concerns that Child B may also be at risk of inappropriate sexual behaviour by their uncle. Ms Blunt was also aware that Child B’s family residence was overcrowded, and that Child B would be likely to have contact with his uncle. Concerns had previously been raised about Child A’s uncle’s behaviour within the family setting.
54. There is no record in the contemporaneous documents that Ms Blunt spoke to Ms Lockwood about these concerns. Although Ms Blunt stated in the disciplinary interview that she had informed Ms Lockwood about this disclosure, a subsequent meeting with Ms Lockwood on 1 May 2019 records: *“she said to me that she knew if she had told me I would have acted upon/followed it [allegation] up – I asked her if she could recall when she put a note in B’s file and she said she could not recall”*.
55. Ms Blunt’s failure to inform her manager had the consequence that the process of discussion and analysis of the risks did not begin, and that Child B was not adequately safeguarded.

Particular 1.5

Failed to inform your line manager of concerns raised that the Foster Carer of Child A was intoxicated

56. The panel found particular 1.5 proved by the documentary evidence, the evidence of Ms Rooke, and the hearsay evidence of Ms Lockwood. The panel gave weight to Ms Lockwood’s hearsay evidence because it was consistent with the documentary evidence and was not challenged by Ms Blunt.
57. The exhibits bundle included an e-mail from a representative of Child A’s school dated 12 February 2019. This e-mail referred to Child A’s concerns about her foster carer and it mentioned an incident *“whereby [Child A] came home to find [foster carer] quite drunk and upset ...”* Ms Blunt replied to this e-mail on 4 March 2019 stating *“Thanks for letting me know. Yes, all of this I have heard before and we are dealing with the issues”*.
58. These documents demonstrate that Ms Blunt was aware of the concerns that the foster carer of Child A was intoxicated. There is no record in the contemporaneous documents that she informed her manager and Ms Lockwood’s hearsay evidence is

that she was not aware. When asked about this matter in the disciplinary interview Ms Blunt said that she thought she had informed the foster carer's supervising social worker, but when asked in further detail she said that that *"it seemed like she hasn't"*.

59. Ms Blunt's failure to inform her manager had the consequence that the process of discussion and analysis of the risks did not begin and that Child A was not adequately safeguarded.

Particular 1.6

Failed to record the disclosures of sexual abuse/assault made by Child A on the children's case notes

60. The panel found particular 1.6 proved, but only in relation to the concerns raised by Child A in relation to Child B in 2019. Those concerns included the suggestion that Child A's uncle had behaved inappropriately by "touching up" Child B.
61. On 18 June 2018 Ms Blunt made a record in Child A's case notes of Child A's disclosure that her uncle was sexually inappropriate towards her. Particular 1.6 is therefore not proved in relation to the June 2018 disclosure.
62. There is no record in the case notes of either Child A or Child B of the disclosure in or around February 2019 that Child B was at risk of inappropriate sexual behaviour. Particular 1.6 is therefore proved in relation to that disclosure.
63. The failure to record the disclosure failed to adequately safeguard Child A and Child B, because there was no record in the case notes of the concern, to enable other readers of the case notes to understand relevant history and inform their decisions.

Particular 1.7

Failed to raise the concerns for Child A and/or Child B in respect of alleged sexual abuse/assault during a handover of the file to another social worker.

64. The panel found particular 1.7 proved by the documentary evidence, the evidence of Ms Stoneman, the evidence of Ms Rooke, and the hearsay evidence of Ms Lockwood.
65. The exhibits bundle included a written record of the case transfer meeting on 17 April 2019 between Ms Blunt and Ms Stoneman. These notes did not include references to Child A's disclosures. Ms Stoneman first became aware of the disclosures when she received an e-mail from the fostering team on 30 April 2019.

- 66. Ms Blunt has not suggested that she provided information to Ms Stoneman about Child A's disclosures.
- 67. The failure to raise the concerns on the handover failed to adequately safeguard Child A and Child B, because Ms Stoneman was not able to understand relevant history and inform her risk assessment and decisions.

Finding and reasons on grounds

- 68. The panel heard submissions from Mr Lawson. He submitted that the findings of fact were sufficiently serious to amount to misconduct. He referred the panel to the HCPC Standards of conduct, performance and ethics.
- 69. The panel accepted the advice of the legal adviser. There is no statutory definition of misconduct, but guidance was given in the case of *Roylance v GMC* that "*misconduct is a word of general effect, involving some act or omission which falls short of what would be proper in the circumstances. The standard of propriety may often be found by reference to the rules and standards ordinarily required to be followed by a practitioner in the particular circumstances*". The panel noted that a breach of standards is not conclusive, but may be part of the panel's consideration of the circumstances. It also noted that the 'falling short' must be 'serious' (*Nandi v GMC*).
- 70. The panel considered the context and surrounding circumstances. The panel noted the evidence of Ms Rooke relating to Ms Blunt's workload and the dynamics of the team. Ms Rooke explained that while there were more pressures on the team in the early part of 2019, the team was not in crisis. There was some increase in Ms Blunt's workload in 2019, but evidence of the audits of Ms Blunt's work demonstrated that she was managing that increase. The supervision records demonstrated that supervision was occurring, and that Ms Blunt was seeking assistance when she required it. In her disciplinary interview Ms Blunt described a good relationship with her manager.
- 71. The panel noted that the concern in this case is Ms Blunt's failure to take appropriate steps to escalate various disclosures that were made to her, and that such steps are simple and not time-consuming. Ms Blunt did not suggest in her disciplinary interview that workload pressures explained her failures to take the necessary steps to safeguard Child A and Child B.
- 72. The panel noted the evidence that the Council carried out an audit of Ms Blunt's cases as part of the investigation and that no concerns were raised about any other cases. There is also evidence of good work carried out by Ms Blunt with Child A. Ms

Blunt developed a relationship with the family who liked her and thought that she was a good social worker.

73. The evidence indicates that the failure to safeguard Child A and Child B was a single case. The panel noted that Ms Blunt suggested in her disciplinary interview that she became so involved with the family that she was not able to see the concerns. The panel was cautious about this suggestion, given that Ms Blunt has not attended the hearing and the panel has not had the opportunity to ask questions which would inform its own assessment of any underlying reasons for her conduct.
74. (PRIAVTE) While the panel noted this information, it also took into account that in the audit there were no concerns with any of Ms Blunt's other cases in relation to safeguarding. In addition, Ms Blunt saw Child A regularly over a ten month period from June 2018 to April 2019. Child A remained a prominent part of her caseload, but she did not take any opportunity to escalate the disclosure by reporting it to her manager.
75. The panel found little in the background circumstances which explained why Ms Blunt had acted as she did. It remained unclear to the panel why, on this occasion, Ms Blunt had failed to safeguard the vulnerable children in her care.
76. The panel found that its findings of fact indicated that Ms Blunt had breached the HCPC Standards of conduct, performance and ethics.
- 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*
- 7.1 You must report any concerns about the safety and well-being of service users promptly and appropriately.*
- 7.3 You must take appropriate action if you have concerns about the safety or well-being of children or vulnerable adults*
- 7.6 You must acknowledge and act on concerns raised to you, investigating, escalating or dealing with those concerns where it is appropriate for you to do so.*
- 9.1 You must make sure that your conduct justifies the public's trust and confidence in you and your profession.*
77. The panel also found that Ms Blunt had acted in breach of the HCPC Standards of Proficiency for Social Workers (2012):

1.5 be able to recognise signs of harm, abuse and neglect and know how to respond appropriately;

2.3 understand the need to protect, safeguard and promote the wellbeing of children, young people and vulnerable adults;

4.1 be able to assess a situation, determine its nature and severity and call upon the required knowledge and experience to deal with it;

11.2 recognise the value of supervision, case reviews and other methods of reflection and review

12.1 be able to use supervision to support and enhance the quality of their social work practice

78. The panel noted that Ms Blunt accepts that her failure to safeguard Child A and Child B is entirely unacceptable. Both Child A and Child B were vulnerable, due to their family circumstances and history, and both were placed at potential risk of harm. The Council had no opportunity to make a formal assessment of the potential risks and any steps required to mitigate those risks. There is also evidence of emotional harm to Child A. Ms Stoneman described that Child A was upset by the later investigation and Child A felt that Ms Stoneman was the one causing the problems because she had previously disclosed the abuse to Ms Blunt.
79. The requirement to safeguard vulnerable service users by escalating a disclosure of sexual abuse is a fundamental tenet of the social work profession. As explained by Ms Rooke in her evidence, this basic requirement to safeguard service users would be understood by student social workers.
80. In the panel's judgment Ms Blunt's conduct as found by the panel, fell well below the required standards for social workers. The findings of fact in particulars 1.1-1.7, considered both individually and collectively, are sufficiently serious to amount to misconduct.

Finding and reasons on current impairment

81. Mr Lawson submitted that Ms Blunt's fitness to practise is impaired on the basis of public protection and on the basis that the seriousness of the findings requires a finding of impairment to maintain public confidence in the profession and uphold and maintain standards for social workers.
82. The panel noted the information in the social worker submissions bundle, and in Ms Blunt's disciplinary interview. Ms Blunt provided information that she is no longer working as a social worker and has no wish to work as a social worker. She is now working as a dog walker and enjoying a much less stressful life. She has had many

hours to reflect on what has happened whilst she has been dog walking, but she does not wish to share her thoughts.

83. The panel accepted the advice of the Legal Adviser. It assessed Ms Blunt's fitness to practise at today's date, having regard to the need to protect the public and the wider public interest.
84. The panel noted that Ms Blunt is of good character, having no previous fitness to practise history. The panel considered that the misconduct in this case was potentially capable of being remediated, but that remediation would require Ms Blunt to engage with the process.
85. In the record of Ms Blunt's disciplinary hearing she was described as being distraught and in her submissions she expresses her regret and remorse for her past behaviour. The panel acknowledged that Ms Blunt made early admissions of fault. However, Ms Blunt has not provided the panel with evidence or information that she has reflected at a deep level. She has chosen to disengage from the process. The panel's assessment was that she has demonstrated very limited insight.
86. Ms Blunt provided no information about any remedial steps and she does not wish to share her reflections. She has not demonstrated to the panel that she understands the strategies she might need to put in place to ensure that there would be no repetition of similar conduct.
87. While the panel recognised that Ms Blunt's failure to safeguard Child A and Child B involved a single family, there was a repeated failure to act appropriately in relation to disclosures, and the failure to safeguard persisted over a period of time. Given these circumstances, the limited insight demonstrated by Ms Blunt, and the absence of remedial action, the panel was not confident that there would be no repetition of similar conduct. The panel therefore decided that there is an ongoing need to protect service users and that a finding of impairment is required on the ground of public protection.
88. The panel next considered the wider public interest including the need to maintain public confidence in the profession and to uphold standards for social workers in England. The panel considered that members of the public place their trust in social workers to safeguard vulnerable service users. This case involved a vulnerable family who had a traumatic history prior to coming to the UK. There had been significant concerns about the sexual exploitation and well-being of Child A prior to her foster placement. The panel considered that fully informed members of the public would be very concerned about Ms Blunt's failure to safeguard Child A and Child B, and would also be concerned about the ongoing risk of repetition.

89. Ms Blunt's failure to safeguard Child A and Child B involved a breach of a fundamental tenet of the profession. In the panel's judgment a finding of current impairment is required to mark the gravity of Ms Blunt's conduct and to uphold the standards for social workers in England.
90. The panel therefore made a finding of impairment on the ground of public protection and in the wider public interest to maintain confidence in the profession and to uphold the standards for social workers.

Decision on sanction

91. The panel requested that its decisions on impairment should be sent to Ms Blunt and that she should be invited to participate at the sanction stage if she wished to do so. The panel hoped that Ms Blunt might reflect and reconsider her decision not to engage in the process, but there was no response.
92. Mr Lawson submitted that the appropriate sanction was a removal order. He referred the panel to paragraphs in Social Work England's sanctions guidance (SG). He submitted that the sanction of last resort was appropriate because of the nature and gravity of the misconduct found proved and the lack of meaningful engagement on the part of Ms Blunt with these proceedings. Mr Lawson also commented that whilst the misconduct was potentially remediable, there was no evidence of insight or remediation.
93. The panel accepted the advice of the legal adviser. Her advice included reference to the case of *Bolton v the Law Society* [1994] 1WLR 512.
94. The primary function of any sanction is to protect the public. This includes protecting the health, safety, and welfare of members of the public, maintaining public trust and confidence in the profession, and maintaining and upholding the required standards for social workers in England. The panel applied the principle of proportionality, balancing Mr Blunt's interests against the public interest.
95. In its deliberations the panel identified the following mitigating factors:
- Ms Blunt is of good character with an otherwise unblemished career;
 - Ms Blunt's personal circumstances as described in paragraph 75.
96. The panel noted Ms Blunt's early expressions of remorse to the Council, but considered that this was not a mitigating factor because there was no evidence of reflection or demonstration of insight in relation to why the events occurred, or the impact of the misconduct on Ms Blunt's colleagues, her employer, or the profession.
97. The panel identified the following aggravating factors
- The risk of harm to Child A and Child B, and actual harm to Child A;

- The tangible impact on the reputation of the profession in Child A's response to Ms Stoneman's instigation of a section 47 investigation, and lack of trust in the profession and her new social worker as a result of the inaction of Ms Blunt;
- The very limited insight demonstrated by Ms Blunt;
- The misconduct in failing to safeguard Child A and Child B was sustained over a period of time from June 2018 to April 2019. Ms Blunt failed to take any meaningful steps to address the concerns raised directly to her of sexual abuse during her tenure as Child A's social worker.

98. The sanction should be the least restrictive which is sufficient to provide the necessary degree of public protection. The panel therefore considered the sanctions in ascending order of severity.

99. The panel considered the option of taking no action, giving advice, or imposing a warning. These options do not restrict Ms Blunt's registration and therefore would be insufficient to protect the public, given that the panel has concluded that there is a risk of repetition of similar misconduct. These options would also be entirely insufficient to maintain public confidence in the profession and to mark the seriousness of Ms Blunt's departure from the expected professional standards.

100. The panel next considered the option of a conditions of practice order. The panel decided that conditions of practice would be inappropriate and insufficient to protect the public. Conditions of practice would be unworkable and inappropriate in circumstances where Ms Blunt has chosen not to engage with the regulatory process and the panel can have no confidence that she would comply with conditions. The panel was also unable to formulate conditions which would address the risk of repetition, given that it was not clear to the panel as to why Ms Blunt had failed to take the steps expected in the circumstances.

101. The panel next considered the option of a suspension order. The guidance in the SG is that a suspension order may be appropriate where the case falls short of requiring removal from the register. A suspension order may be imposed for a maximum of three years.

102. The SG guidance for a removal order is that this sanction "*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*".

103. The panel decided that the mitigating features carried little weight when balanced against the nature and gravity of the misconduct. On the information and evidence presented to it, the panel was unable to conclude that Ms Blunt's personal

circumstances explained her conduct. The panel took into account Ms Blunt's experience as a social worker and her unblemished record, but it agreed with Mr Lawson's submission that this might also be seen as an aggravating feature, because such a senior and experienced social worker should not have acted in the way that Ms Blunt did.

104. The panel acknowledged that a suspension order would protect members of the public against the risk of repetition of similar misconduct. Applying the principle of proportionality, a suspension order should be imposed, unless it would be insufficient to maintain public confidence in the profession or maintain proper professional standards for social workers in England.
105. Ms Blunt has maintained over a long period of time a clear decision that she no longer wished to work as a social worker. In her e-mail dated 26 January 2021 she refers to this decision dating back to January 2020. Given the information from Ms Blunt in the social worker submissions bundle, her failure to respond at all to the Notice of Hearing, and the absence of any response to e-mail correspondence sending the panel's decisions, the panel concluded that there was no realistic prospect that Ms Blunt will engage with Social Work England in relation to this matter. The panel decided that there would be no purpose in imposing a suspension order in circumstances where there was no realistic prospect of rehabilitating Ms Blunt to safe practice.
106. In these circumstances, the panel decided that a suspension order would not be sufficient to maintain public confidence in the profession. It is in the public interest that Ms Blunt's decision should be respected, and the case brought to a conclusion.
107. The sanction of a removal order may have a detrimental impact on Ms Blunt, but the panel decided her interests were outweighed by the need to protect the public and the wider public interest.
108. The panel considered that the guidance in the SG for a removal order applied; no outcome other than removal would be sufficient to protect the public, maintain confidence in the profession and maintain proper professional standards for social workers in England. The panel therefore decided that the appropriate and proportionate sanction is a removal order. This sanction sends a clear message to the public and members of the profession that registered social workers must take appropriate action to safeguard vulnerable service users and of the need to engage in regulatory proceedings.

Interim order

109. In light of its findings on sanction, the panel next considered an application by Mr Lawson for an interim suspension order to cover the appeal period before the sanction becomes operative.
110. The panel accepted the advice of the legal adviser. She reminded the panel of its power to impose an interim order and that this is a separate exercise of discretion.
111. The panel first considered whether to impose an interim order. It was mindful of its earlier findings and decided that it would be wholly incompatible with those earlier findings and the imposition of a removal order to conclude that an interim order was not necessary for the protection of the public or otherwise in the public interest for the appeal period. The panel decided that an interim conditions of practice order would not be sufficient to protect the public.
112. Accordingly, the panel concluded that an interim suspension order should be imposed on public protection and public interest grounds. It determined that it is appropriate that the interim suspension order be imposed for a period of 18 months to cover the appeal period and the time for disposal of any appeal. When the appeal period expires, this interim order will come to an end unless there has been an application to appeal. If there is no appeal the removal order shall apply when the appeal period expires.

Right of Appeal

113. 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.
114. 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.
115. 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.

116. 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

117. 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.

118. 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.