

Social Worker: Della Cowdry
Registration Number: SW93629
Fitness to Practise: FTP-68571,
FTPS-16852
Final Hearing

Dates of hearing: 5 – 9 September 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 Cowdry did not attend and was not represented.
3. Social Work England was represented by Adrian Harris as instructed by Capsticks LLP.

Adjudicators	Role
Matthew Fiander	Chair
Natalie Williams	Social Worker Adjudicator
Peter Swain	Lay Adjudicator

Hannah Granger	Hearings Officer
Arabella Vahey-Crossley	Hearing Support Officer
Scott McDonnell	Legal Adviser

Service of Notice:

4. Ms Cowdry did not attend and was not represented. The panel of adjudicators (hereafter “the panel”) was informed by Mr Harris that notice of this hearing was sent to Ms Cowdry by recorded delivery to her address on the Social Work Register (the Register). The notice of hearing was also sent via email to Ms Cowdry’s email address as recorded on the Register. Mr Harris 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 the final hearing dated 28 July 2022 and addressed to Ms Cowdry at her address and email address as they appear on the Social Work England Register;
 - An extract from the Social Work England Register detailing Ms Cowdry’s registered address and email address;
 - A copy of a signed Statement of Service, on behalf of Social Work England, confirming that on 28 July 2022 the writer sent by email and special next day

delivery post to Ms Cowdry at the addresses 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 the Social Work England (Fitness to Practise) Rules 2019 (as amended) (“the Rules”) and all 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 Cowdry in accordance with Rules 14, 15, 44 and 45.

Proceeding in the absence of the social worker:

8. The panel heard the submissions of Mr Harris on behalf of Social Work England. Mr Harris submitted that notice of this hearing had been duly served, no application for an adjournment had been made by Ms Cowdry and as such there was no guarantee that adjourning today’s proceedings would secure her attendance. Mr Harris therefore invited the panel to proceed 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. The panel was also referred to the case of *Sanusi v The General Medical Council (2019) EWCA Civ 1172* when considering whether to proceed.
10. The panel considered all of the information before it, together with the submissions made by Mr Harris on behalf of Social Work England. The panel noted that Ms Cowdry had been sent notice of today’s hearing and the panel was satisfied that she was or should be aware of today’s hearing.
11. The panel, therefore, concluded that Ms Cowdry had chosen voluntarily to absent herself. The panel had no reason to believe that an adjournment would result in Ms Cowdry’s attendance. The panel noted that there was a long history of a lack of engagement with these proceedings by Ms Cowdry. The panel took account of the fact that witnesses had been invited to attend these proceedings and were available to give evidence. This included Service User A who is a vulnerable witness. Having weighed the interests of Ms Cowdry 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 Cowdry’s absence.

Allegations

12. That you, a registered social worker, whilst employed by Bath and North East Somerset Council as a social worker:

1. Having been allocated as a care coordinator to Service User A between in or around March 2015 and December 2015, you failed to maintain appropriate professional boundaries with service user A between approximately 1 April 2015 and 4 January 2019, in that you pursued a course of conduct to establish and maintain a personal relationship with Service User A, including:
 - a. You provided your personal mobile number to Service User A;
 - b. You used your personal mobile telephone number to contact Service User A;
 - c. You took Service User A to a restaurant or pub for a meal while still her Care Coordinator;
 - d. Giving and/or receiving one or more gifts with Service User A;
 - e. Stayed overnight at Service User A's home;
 - f. Allowed Service User A to stay overnight at your home;
 - g. Went on holiday with Service User A on one or more occasion(s);
 - h. Encouraged and/or instructed Service User A to keep your relationship with her secret from others.
2. Having been allocated as a care coordinator to Service User A between in or around March 2015 and December 2015, you financially exploited Service User A, in that you:
 - a. Used emotional pressure to seek money from Service User A on one or more occasion(s), by providing reasons you wanted money;
 - b. Obtained money from Service User A approximately between 1 September 2015 and 31 December 2018;
 - c. Did not repay all such sums to Service User A.
3. You have used illegal substances and/or supplied illegal substances to Service User A in that you:
 - a. Used cocaine, a Class A controlled drug, between approximately 11 February 2016 and 4 January 2019;
 - b. Such cocaine use took place in the presence of Service User A;
 - c. Supplied cocaine, a Class A controlled drug, to Service User A between approximately 1 November 2016 and 4 January 2019.

4. You have placed the health and safety of a service user at unacceptable risk Your conduct outlined in particulars 1-3 placed the health and safety of Service User A at unacceptable risk.

5. You failed to treat information regarding other service users as confidential on or around 10 December 2015, you failed to treat information regarding other service users as confidential, in that you:

- a. Left your work diary insecure and/or unattended;
- b. Left your work diary in the custody of Service User A;
- c. Asked Service User A to take and send photographs of your work appointments;
- d. Discussed details of your work appointments with Service User A.

6. On 31 January 2020 you were convicted of two offences of:

- a. driving whilst exceeding the specified limit of cocaine on 10 July 2019, and
- b. driving whilst exceeding the specified limit of cocaine on 11 July 2019, contrary to section 5A(1)(a) and (2) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.

7. On 10 July 2019 you were found to be in possession of Class A drug, namely cocaine.

8. You failed to inform the regulator of your criminal proceedings and/or convictions at Head of Charge 6 as required by relevant social work standards.

9. The matters described at particulars 1 to 5 and 7 to 8 constitute misconduct.

By reason of your misconduct and your convictions your fitness to practise is impaired.

Preliminary Matters

13. There were no preliminary matters.

Summary of Evidence

Social Work England

14. Mr Harris opened the case setting out the background leading to the allegations against Ms Cowdry.

15. On 18 January 2019, the Health Care Professions Council (HCPC) received a referral regarding the respondent social worker, Ms Cowdry. The referral was made by HS, care co-ordinator at Early Intervention in Psychosis team at Avon and Wiltshire Mental Health Partnership. HS was, at the time of the time of the referral the allocated worker for Service User A, a vulnerable adult.
16. In addition, the Social Worker has been convicted of two offences of driving with unlawful levels of cocaine in her blood. At the time of one arrest, she had a small bag of white powder that it is alleged was cocaine. Although under a duty to inform her regulator of criminal proceedings against her, she did not do so.
17. Mr Harris indicated that Social Work England will call evidence from two witnesses, namely HS and Service User A.
18. With regard to the first allegation of failing to maintain professional boundaries with Service User A between approximately 1 April 2015 and 4 January 2019, in that Ms Cowdry pursued a course of conduct to establish and maintain a personal relationship with Service User A, Mr Harris referred the panel to the evidence that would be heard from HS.
19. HS is a social worker and care co-ordinator in the Early Intervention in the Psychosis team ("the Team") in Bath and North East Somerset (BANES), employed by BANES council and seconded into Avon and Wiltshire Mental Health Partnership (AWP) Trust, which operates as an integrated service as a mental health trust ("BANES/AWP"). Her role is to oversee the care and support offered to service users and to co-ordinate any particular services and interventions offered. She joined BANES in 2013 and went on maternity leave around September or October 2014. She returned to BANES/AWP at some point in late 2015.
20. Ms Cowdry was employed through an agency on a temporary basis to cover HS's position while she was on maternity leave. After HS's return, Ms Cowdry remained in the Team for a few weeks before finishing her work for BANES/AWP in or around December 2015.
21. Service User A has been under the care of the Team since 2015, at which point she was 18 years old. The Team does not place emphasis on diagnoses in their care of service users, but Service User A has been variously understood to have mood disorder with psychosis, although subsequently reformulated as Complex Post Traumatic Stress Disorder. Service User A had a background of trauma.
22. In terms of physical health issues, Service User A has epilepsy and ADHD and physical health problems consequent to her epilepsy. Service User A has a shunt in place in her skull to drain fluid and is under a neurology team.

23. Ms Cowdry was assigned to be Service User A's Care Coordinator in 2015. At this time, Service User A's behaviour was symptomatic of bipolar disorder and she had manic episodes, which necessitated hospital admissions.
24. Supervision records recording supervision meetings between Ms Cowdry and her supervisor, EE, show that Ms Cowdry was responsible for Service User A's case from early April 2015 and was actively involved in meeting and supporting her through to December 2015.
25. As her allocated Care Co-Ordinator, Ms Cowdry would have overseen Service User A when she was living in the community. This included ensuring the support she was receiving was meeting her needs and meeting with Service User A to review her mental health. Support would also include tenancy-related issues, ensuring she attended any appointments and encouraging her to access appropriate support available to her.
26. The BANES/AWP Relationships at Work Policy makes it clear that 'workers must not use their position to establish or pursue a personal relationship with a service user or someone close to them'.
27. Service User A's evidence is that Ms Cowdry would regularly visit her through the period over 2015 when she was the allocated Care Coordinator, and that this took place at least once each week. Through this time Service User A recalls she lived in a hostel before moving into supported living. Service User A recalls that Ms Cowdry appeared friendlier than any other staff who had worked with her at Child and Adolescent Mental Health Services, and that this appeared over-friendly to her.
28. Service User A recalls an occasion when Ms Cowdry borrowed money from her while she was still her Care Coordinator, with Ms Cowdry claiming it was to pay for things for her holiday the following week. There was no proper professional reason to ask a service user for money and certainly not for Ms Cowdry's own benefit, whether the money was to be repaid or not.
29. During the time she was Service User A's Care Coordinator, Ms Cowdry gave Service User A her personal mobile number. Ms Cowdry said at the time that she had left her work phone at home, but Ms Cowdry then began to use her personal number to contact Service User A. Sometimes Ms Cowdry would call in the middle of the night and at the time Service User A was not sleeping during the night very much. Ms Cowdry would also send text messages from her personal mobile phone.
30. Mr Harris submitted that Ms Cowdry passing on her personal mobile phone number was inappropriate and blurred professional boundaries. There was no valid reason for Service User A to have the number.

31. The use of Ms Cowdry's personal number was during the summer of 2015 after Service User A had been discharged from hospital (having been sectioned between April-August 2015) and her recollection is that she was still 'a bit manic' after her stay in hospital.
32. Ms Cowdry did record in the progress notes an occasion when Service User A contacted her during the night (1 December 2015) but did not record her use of her personal telephone number through this period.
33. Ms Cowdry took Service User A to a pub/restaurant for a meal while still her Care Coordinator at some point.
34. When Ms Cowdry was leaving BANES/AWP, Service User A bought her an engraved cigarette lighter as a gift. Ms Cowdry then gave Service User A a gift of a salt lamp, which Service User A considered to be expensive on her estimation of its value at around £30-50.
35. Service User A recalls that Ms Cowdry spoke to her in early 2016 and said that another member of staff had warned her to be careful with anything to do with service users outside of work. Mr Harris submitted that it is evident that Ms Cowdry knew that a relationship with a service user apart from professional contact was inappropriate, but nonetheless she had cultivated and then maintained a personal friendship beyond the boundaries of a normal professional relationship, which she would then maintain having left BANES/AWP.
36. Ms Cowdry and Service User A travelled to London together at Ms Cowdry's suggestion, which first occurred in early 2016. Around March or April time 2016, Ms Cowdry and Service User A went on holiday together at Ms Cowdry's prompting. Ms Cowdry told Service User A to tell people she was going to a different country to Ms Cowdry, rather than Jamaica together as was actually the case. To do so would prevent former colleagues who still knew Ms Cowdry from knowing the truth. Service User A paid for her part of the holiday by transferring money to Ms Cowdry, who made the holiday arrangements.
37. Both Ms Cowdry and Service User A had a copy of a DVD of photographs, taken when they were on holiday in Jamaica and the panel was referred to a photograph from that DVD, showing both of them together.
38. Ms Cowdry took steps to stop anyone from seeing them leave together, and on this and other occasions would ensure they were not seen in a car together.
39. Both Service User A and Ms Cowdry would stay overnight at each other's homes from time to time. This began in 2016 and developed through 2017. Initially, Service User A would stay at Ms Cowdry's home maybe once each week, but over time this changed and she would stay for up to a few days each time.

40. During visits to London, Ms Cowdry would introduce Service User A to her friends, one of whom ended up in a relationship with Service User A.
41. With regard to the second allegation, namely that having been allocated as a care coordinator to Service User A, Ms Cowdry financially exploited Service User A, Mr Harris submitted that the panel would hear evidence on this issue.
42. After Ms Cowdry stopped working for BANES/AWP and therefore her professional relationship with Service User A came to an end, they remained in contact and this relationship continued over a period of years. It was clear that Ms Cowdry recognised this continued relationship was inappropriate because she repeatedly told Service User A that no-one could know they were friends.
43. This began shortly after Ms Cowdry finished her work at BANES/AWP. Ms Cowdry said that she wanted Service User A to discharge herself from the service and that if anyone knew about them being friends that Ms Cowdry's children would be removed from her.
44. When Ms Cowdry and Service User A went on holiday in 2016, Service User A paid for her part of the holiday by transferring money to Ms Cowdry, who made the holiday arrangements.
45. Aside from this Ms Cowdry asked Service User A for money on many occasions. These requests were frequent and started shortly after she left BANES/AWP. They began when Ms Cowdry asked for money to pay for petrol, but became more regular and she started to ask for larger amounts, sometimes £50 to £100. The money was asked for as a loan.
46. Ms Cowdry would use emotional pressure when she asked for the money by giving particular reasons for needing the money. By way of example, on one occasion Ms Cowdry said she needed money to have her dog put to sleep, on another occasion she said that she was at the side of the road in the rain and needed money for a taxi and another time she said that she did not have any food.
47. Mr Harris submitted that Service User A considers that at the time, she was still quite manic and was careless with her money. However, loaning the money to Ms Cowdry had an effect upon her financially because she did not have a lot of money to afford food or furniture.
48. Service User A would send money to Ms Cowdry by bank transfer and would also give cash to her. Service User A did not keep track of the money she provided and she would often forget how much she had given. When she did ask for sums back, Ms Cowdry would query whether the figure was accurate.
49. Ms Cowdry would sometimes say that she was going to transfer the money back on a certain day and she would not. On occasions, Service User A's account would be overdrawn as a result.

50. Service User A has provided some of the text messages that passed between the two of them about money. Copies of some of the messages are contained within the hearing bundle. These are not all of the messages exchanged between them because Service User A does not have her old mobile phones. There were also messages sent on WhatsApp, which she can no longer access.
51. Service User A is aware that Ms Cowdry owes her several hundred pounds and that she has not been fully repaid. As far as she remembers, the requests for money were over a period of about three years.
52. Service User A has provided bank statements that she has printed from accessing her online banking and these are contained within the hearing bundle. Transactions that have been highlighted show that Service User A sent Ms Cowdry a total of £3078.50 between 11 February 2016 and 19 December 2018 spread over 29 transfers. The sums range from just a few pounds up to several hundred pounds.
53. The transfers between February and 5 April 2016 relate to the two of them going on holiday to Jamaica (seven transfers totalling £2000), although Ms Cowdry did send a transfer back of £10 on 29 March 2016.
54. Service User A believes that the payments of £400 on 18 April 2017 and £100 on 31 May 2017 were for another holiday she took with Ms Cowdry, this time to Turkey.
55. Service User A believes that the payment of £50 on 10 May 2017 was for cocaine, because the reference line includes the time of the transfer at 03:03.
56. Service User A believes that transfers of £10 are likely to be petrol money where Ms Cowdry gave her a lift to Ms Cowdry's house.
57. Service User A is able to give some further explanations for specific sums in her second statement. The bank statements are printed across different sheets because Service User A searched for the transactions using different search terms to find them.
58. The descriptions/subject lines where sums were sent by Service User A to Ms Cowdry are variously labelled 'PATRICIA D', 'JAMES' or similar. These references were used to disguise the fact that the money was being sent to Ms Cowdry.
59. Service User A used 'Patricia D' because one of Ms Cowdry's friends had called her 'Pat', plus 'D' for Della. The reference 'James' was used when the money was sent to a different account belonging to Ms Cowdry when she asked for that (to prevent the money being used by her bank to reduce an overdraft), and used because Service User A did not know anyone by that name and she would not become confused with any other of her contacts when she looked at her bank statements.

60. Of the total sum transferred to her, Ms Cowdry has repaid £641 between 29 March 2016 and 21 December 2018, made up of 13 transfers between £1 and £150.
61. Some of the payments would be Ms Cowdry repaying sums she had obtained from Service User A and it was not common for her to repay in cash. These repayments were made when Service User asked for them, including times when her bank balance was in an overdraft.
62. Over time, Service User A began to feel that Ms Cowdry was taking advantage of her as the requests became more frequent and for higher amounts. These transfers are not the total extent of the money Service User A gave Ms Cowdry at her request, because she would 'often give her cash'. She also paid Ms Cowdry for cocaine in cash, including withdrawing it via a credit card account she held.
63. Mr Harris submitted that Ms Cowdry has cultivated a relationship through her position of power and trust whereby she has been able to financially benefit to the detriment of a service user over several years.
64. Turning to the third allegation of Ms Cowdry using illegal substances and/or supplying illegal substances to Service User A, Mr Harris submitted that during the times that Ms Cowdry was with Service User A, Ms Cowdry used cocaine. The panel will hear that Service User A saw Ms Cowdry take cocaine when they stayed in a hotel in London and when they went to Jamaica. Ms Cowdry appeared to have a serious problem with cocaine and the frequency of her usage appeared to increase over time, changing from weekly to daily consumption.
65. Ms Cowdry also supplied cocaine to Service User A. Service User A's evidence is that this began in late 2016, occurring once in about November 2016 when Service User A accepted and was supplied with cocaine. A few months later, Ms Cowdry began to offer and supply cocaine to Service User A again. This continued on a regular basis of at least once each week and sometimes more frequently. Both would pay for the drugs that they abused.
66. The last time that Service User A saw Ms Cowdry was when she visited Service User A's flat. Ms Cowdry was smoking crack cocaine out the window and it was this incident that led to Service User A disclosing what had been going on.
67. The fourth allegation of placing the health and safety of a service user at unacceptable risk relates to Ms Cowdry's conduct outlined in the three substantive allegations above and by this conduct Ms Cowdry placed the health and safety of Service User A at unacceptable risk.
68. Ms Cowdry had been Service User A's Care Coordinator for several months and worked closely with her. She knew her to be a vulnerable young person with complex mental

and physical health conditions. Despite this, Ms Cowdry created a situation where a 'friendship' developed, then told the Service User to keep it a secret and added emotional pressure to enforce this.

69. This developed into pressure to 'loan' her money, encouraging the use of drugs and later supplying her with Class A drugs. There was a clear and obvious adverse impact upon the service user's physical and mental health. After reporting what had happened, Service User A was fearful of Ms Cowdry. Service User A's evidence is that Ms Cowdry 'made my mental health a lot worse' and her behaviour caused paranoia.
70. In addition HS's evidence is that the risks created were significant, and included Service User A's ability to subsequently trust and engage with the service as well as effects upon her mental state.
71. The fifth allegation relates to Ms Cowdry failing to treat information regarding other service users as confidential on or around 10 December 2015.
72. Mr Harris submitted that the panel would hear evidence from Service User A that on one occasion in December 2015, Ms Cowdry visited her for a review meeting. During this meeting, Ms Cowdry asked Service User A to put Ms Cowdry's work diary in her bag. Service User A then left the bag behind a desk. Later, she took the bag home, but the diary was still in it.
73. That evening, Ms Cowdry called Service User A and asked her to take photos of that week's page in the diary, saying that she had an appointment the next day and she could not remember what it was. Service User A took the photos and sent them to Ms Cowdry by WhatsApp.
74. In an email dated 10 December 2015 contained within the hearing bundle, GE, who was a member of staff at the premises, recounted a conversation she had with Service User A that day when she went to deliver medication, during which time Service User A told her that someone she worked with had left her work diary in the bag and had asked her to send the details of her upcoming appointments. GE had overheard part of this conversation where Service User A was saying details of appointments.
75. With regard to the issue of how these matters came to light and were ultimately reported, Service User A began to see Ms Cowdry less and less in the period from August to September 2018. At the Service User's request, contact stopped for a time, but resumed later. Service User A was scared by Ms Cowdry's use of cocaine and its effect upon her behaviour.
76. On 4 January 2019, HS was contacted by one of the outreach support workers, MD, who said that Service User A had told her that a friend owed her money and then went on to explain that the friend was someone who used to be her care co-ordinator and had

previously borrowed money from her. A copy of the progress note relating to MD's meeting with Service User A is provided within the hearing bundle.

77. On Monday 7 January 2019 HS and MD visited Service User A to discuss her disclosure in more detail. It was then that Service User A identified Ms Cowdry as the person responsible. A copy of the progress note relating to this visit is provided within the hearing bundle.
78. After the meeting with Service User A, HS raised a safeguarding concern and reported the matter to the HCPC.
79. Mr Harris then referred the panel to Ms Cowdry being convicted of the two offences of driving whilst exceeding the specified limit of cocaine on 10 July 2019, and driving whilst exceeding the specified limit of cocaine on 11 July 2019, contrary to section 5A(1)(a) and (2) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.
80. The circumstances leading to these convictions were that at 01:55 on 10 July 2019, Police Sergeant H was on patrol when he stopped a Vauxhall Astra on Lowbourn, Melksham, Wiltshire. Ms Cowdry was the driver and she had two passengers. She was detained for a drugs search and other officers attended to assist. Ms Cowdry produced a small plastic "snap bag" containing a very small amount of white powder.
81. At the time Ms Cowdry had glazed eyes, she was acting nervously and was talking quickly. Therefore, a roadside drugs wipe was carried out by Police Constable P. Ms Cowdry showed a positive result for cocaine from a wipe test and was arrested for driving above the specified limit.
82. Having been taken to the police station, an MG DD (drug driving) procedure was carried out and a sample of blood was provided by the Social Worker for analysis.
83. Ms Cowdry was released under investigation while the blood sample was sent for analysis. At 0140 on 11 July 2019 (the day after her first arrest) Ms Cowdry was again found to be driving the same vehicle as before, this time in Chippenham Community Hospital Car Park.
84. Police Constable H and Police Constable M were on patrol in Chippenham at 0140, when they drove past a road junction and saw the Vauxhall Astra parked on the junction facing away from the main road. The police officers continued along the road and turned around before the same vehicle was driven directly in front of them and turned into St Luke's Drive.
85. Police Constable H recognised the single occupant of the vehicle to be Ms Cowdry and watched the car in his mirrors. Ms Cowdry turned right into Chippenham Community Hospital. When the police officers entered the car park to the hospital, the Astra was

parked in the corner of the car park. Ms Cowdry was walking to the door of the minor injuries unit, but the unit was closed and she did not go in.

86. Police Constable H approached Ms Cowdry as she walked away from the hospital and off hospital grounds, just as a taxi pulled up for her. Ms Cowdry's behaviour was manic and agitated; her pupils were enlarged and she was wearing no shoes. She gave an account of running out of her house because of her daughter's illness. She was arrested.
87. At the Police Station, another blood sample was taken from Ms Cowdry. The blood samples were sent to forensic scientists for analysis. Both samples returned levels of cocaine in her blood that were above the specified limit, which is 10 micrograms per litre of blood. The 10 July result was 44 micrograms and the 11 July result was 87 micrograms.
88. On 31 January 2020, Ms Cowdry pleaded guilty to two offences, namely on 10 July 2019, driving a motor vehicle when the proportion of cocaine in her blood exceeded the specified limit (44 micrograms) and on 11 July 2019, driving a motor vehicle when the proportion of cocaine in her blood exceeded the specified limit (87 micrograms).
89. Ms Cowdry was fined £40 for each offence. She was disqualified from driving for a total of 15 months. A statutory surcharge to fund victim services was imposed (commonly known as a 'victim surcharge').
90. Following her guilty pleas to these two offences, offences of driving a motor vehicle on the same occasions when the proportion of Benzoylcegonine in her blood exceeded the specified limit were withdrawn. These offences arose from exactly the same arrests and incidents of driving. Benzoylcegonine is formed as cocaine is processed by the body, rather than being a separate drug being consumed by individual.
91. Mr Harris then referred the panel to the seventh allegation of Ms Cowdry being found on 10 July 2019 to be in possession of a Class A drug, namely cocaine.
92. When Ms Cowdry was stopped and arrested on 10 July 2019, she was searched. She told the police officer that she had bicarbonate of soda on her. She produced a snap (i.e. self-seal) bag containing a 'very small quantity' of white powder. Contrary to her claim that it was bicarbonate of soda, a presumptive test was carried out upon the powder and it returned a positive test for cocaine. Ms Cowdry was interviewed under caution and made no comment to questions asked of her.
93. Ultimately the Police did not consider it to be in the public interest to carry out a full laboratory examination of the powder.
94. Mr Harris submitted that the evidence supports a finding that Ms Cowdry was in possession of cocaine. From the evidence it is clear that Ms Cowdry had undoubtedly

consumed cocaine on at least one occasion if not more than one, such that there were significant quantities of the drug in her blood stream when arrested twice within a short period of time.

95. Ms Cowdry's consumption of cocaine must have been at times and dates proximate to her possession of the white powder in question, which may have been both before and after her first arrest on 10 July 2019. Further, Ms Cowdry was clearly in possession of a white powder at the time.
96. Mr Harris then turned to the final allegation against Ms Cowdry of her failing to inform the regulator of her criminal proceedings and/or convictions detailed above as required by relevant social work standards.
97. In accordance with both HCPC and Social Work England standards, the Social Worker was under a duty to inform her regulator promptly in the event she was subject to criminal proceedings and/or convictions.
98. Ms Cowdry had been arrested in respect of a drug-driving offence on 10 July 2019. She was informed by letter dated 9 January 2020 that she would be summonsed for the offence and on 31 January 2020 she pleaded guilty, was convicted and sentenced.
99. However, at no time did Ms Cowdry inform the HCPC or Social Work England of any summons or conviction.
100. LM is an Investigator for Social Work England and has investigated this case. She provides evidence that there is no record of Ms Cowdry informing either the HCPC or Social Work England of her charge or conviction as outlined above.
101. The only time Ms Cowdry discussed it was during a telephone call with LM on 11 February 2020, which occurred in response to an email sent by LM to Ms Cowdry informing her of the new fitness to practise concern raised in relation to it. Ms Cowdry said she was confused and did not think she was still registered as a Social Worker.
102. At the conclusion of his submissions Mr Harris indicated that Ms Cowdry has not engaged and has not provided a formal response to the allegations referred by Social Work England's Case Examiners. Ms Cowdry has not provided a formal response to disclosure of Social Work England's case.
103. In addition Ms Cowdry's conduct was in breach of a number of professional standards.
104. The panel was provided with 7 bundles in advance of the hearing including a witness statement bundle (46 pages); an evidence (exhibits) bundle (257 pages); a statement of case (18 pages); a service bundle (70 pages) a hearing timetable (4 pages); an anonymity key (1 page) and a record of responses by Ms Cowdry (4 pages).

105. HS was called to give oral evidence. During her oral evidence she adopted the content of her witness statement dated 16 June 2021, which exhibited numerous documents including progress notes, correspondence to HCPC, records and minutes of meetings, reports and policy documents. HS gave her evidence on affirmation and answered several questions of clarification from the panel.
106. HS was referred to the AVP Relationships at Work Policy dated 11 Dec 2019. She confirmed that although it post dated the allegations against Ms Cowdry she was confident that such a policy would have been in place during the time that Ms Cowdry was Service User A's Care Co-ordinator. HS stated that the relationship between a Care Co-ordinator and service user would be to assess and meet the needs of the service user in a professional capacity. It was not appropriate to have a non-professional relationship.
107. The panel asked HS if she was able to confirm what type of orders Service User A was under when in the care of AVP, whether an assessment order or a treatment order. HS was unable to confirm if Service User A had been subject to the Mental Health Act throughout.
108. Service User A was subject to a community treatment order in July 2015, which included a set of terms such as regular mental health meetings, medication and a place of residence. HS could not recall Service User being subject to a community treatment order in the last two years, but did recall that she had been "sectioned" in April 2018.
109. HS was asked about Service User's ability to manage money. HS stated that Service User A had no issue with money, but if her health declined then her spending may increase if she became more "hyper".
110. HS was then asked to confirm how a Care Co-ordinator should maintain contact with a service user. HS stated that it would be by work mobile, whether calling or by text. Contact should only be during work hours. It was not acceptable to use a personal mobile and if need be the team office could always pick up a call from a service user if a work mobile wasn't working.
111. Service User A was called to give oral evidence. During her oral evidence she adopted the content of her witness statements dated 16 June 2021 and 3 August 2021, which exhibited numerous documents including text messages between Service User A and Ms Cowdry, bank statements and a photo of Service User A and Ms Cowdry on holiday. Service User A gave her evidence on affirmation and answered several questions of clarification from the panel.
112. Service User A confirmed first seeing Ms Cowdry taking cocaine when they were on holiday in Jamaica. She did not see her take it when they were in London. Service User

did see Ms Cowdry use crack cocaine in Service User A's flat and she knew it was crack cocaine as she was smoking it using a spoon.

113. With regard to Ms Cowdry's work diary Service User A confirmed that she had taken it home by accident after a mental health tribunal and Ms Cowdry asked her to send photos of her appointments. Service User A saw names and addresses within the diary and recognised one name who was a friend from school. Service User A recalled that this was the last day that they worked together.

Social Worker

114. Ms Cowdry was not present, had not provided any written submissions and had not engaged with Social Work England concerning this hearing at all.

Finding and reasons on facts

115. The panel heard and accepted the advice of the legal adviser who referred them to the Social Work England Fitness to Practise Rules 2019, Rule 32 (c) (i) (a), which requires the panel to determine any disputed facts at the outset of the hearing. The panel heard and accepted detailed advice from the legal adviser in respect of the approach to take in determining findings of facts and the burden and standard of proof. The panel heard advice on the issues of credibility and reliability, on hearsay evidence and what weight to attach to such evidence.
116. The panel was reminded of the fact that Ms Cowdry was not present or represented and therefore it was incumbent on the panel and legal adviser to ensure that they explored any weaknesses there might be in Social Work England's case.
117. The panel retired to reach its decision on facts.
118. In the circumstances, having considered all the written and oral evidence and on the balance of probabilities the panel made the following findings:
- 119.
1. Having been allocated as a care coordinator to Service User A between in or around March 2015 and December 2015, you failed to maintain appropriate professional boundaries with service user A between approximately 1 April 2015 and 4 January 2019, in that you pursued a course of conduct to establish and maintain a personal relationship with Service User A, including:
 - a. You provided your personal mobile number to Service User A;
 - b. You used your personal mobile telephone number to contact Service User A;

- c. You took Service User A to a restaurant or pub for a meal while still her Care Coordinator;
- d. Giving and/or receiving one or more gifts with Service User A;
- e. Stayed overnight at Service User A's home;
- f. Allowed Service User A to stay overnight at your home;
- g. Went on holiday with Service User A on one or more occasion(s);
- h. Encouraged and/or instructed Service User A to keep your relationship with her secret from others.

FOUND PROVED IN ITS ENTIRETY EXCEPT FOR 1c, WHICH IS NOT PROVED

120. The panel relied on the evidence within the hearing bundle, namely the supervision notes for Service User A, which confirmed that Ms Cowdry had been allocated the case of Service User A by 8 April 2015. The panel also relied on the evidence provided by Service User A who confirmed that Ms Cowdry had ceased to be her allocated care co-ordinator in December 2015 at the conclusion of a tribunal hearing on 10 December 2015. The panel concluded that Ms Cowdry had been Service User A's care co-ordinator between in or around March 2015 and December 2015.
121. With regard to 1a. the panel noted that the mobile phone number that Service User A was in contact with was the one that appeared on the Social Work England register as belonging to Ms Cowdry. The panel also took account of the fact that the texts between the two continued for several years after Ms Cowdry had ceased to be Service User A's care co-ordinator. In light of this the panel concluded that it was more likely than not that the number was Ms Cowdry's personal mobile number.
122. As for 1b. the panel referred to the extracts of texts contained within the hearing bundle between Ms Cowdry and Service User A, which established that Ms Cowdry was communicating with Service User A and further that this was by means of her personal mobile phone, noting the finding at 1a above.
123. With regard to 1c, the panel referred to the evidence of Service User A provided in person before the panel and in her witness statement. The panel took the view that Service User A was a credible witness and that it was more likely than not that Service User A had taken her to a restaurant or pub for a meal while still her Care Coordinator. The panel did not think that of itself this breached professional boundaries. It is not unheard of for social workers to engage professionally with service users in a "neutral" venue, including a pub or restaurant. Notwithstanding the other evidence of a course of conduct to establish and maintain a personal relationship, the panel was not satisfied

that this particular meeting was not part of proper professional engagement between M Cowdry and Service User A. The panel therefore found this allegation was not proved.

124. As for 1d the panel referred to Service User A's witness statement and took account of her evidence describing an exchange of gifts. The panel concluded that there had been an exchange of gifts.
125. When considering 1e the panel heard evidence from Service User A that Ms Cowdry had been at her home and the panel referred to texts within the hearing bundle showing that Ms Cowdry asked to stay at Service User A's home overnight. The panel also referred to Service User A's witness statement indicating that Ms Cowdry stayed at her home after she had ceased to be her care co-ordinator. The panel decided that Ms Cowdry had stayed overnight at Service User A's home.
126. With regard to 1f the panel considered that the evidence of Service User A was truthful, consistent and was not undermined by any other evidence. The panel concluded that Service User A did stay overnight at Ms Cowdry's home.
127. As for 1g and the allegation that Ms Cowdry went on holiday with Service User A on one or more occasions the panel referred to evidence indicating payments of large sums of money that went from Service User A's bank account to Ms Cowdry's bank account. Service User A's evidence was that this was to pay for the holiday in Jamaica. The panel also referred to the evidence of Service User A confirming that the pair did go on holiday together and also a photo of Ms Cowdry and Service User A on holiday in Jamaica. The panel decided that Ms Cowdry did go on holiday with Service User A on at least one occasion.
128. With regard to 1h whereby Ms Cowdry allegedly encouraged and/or instructed Service User A to keep her relationship with her secret from others the panel referred to Service User A's statement, considered her credibility and noted that she had been consistent over time. The panel concluded that Ms Cowdry had encouraged and/or instructed Service User A to keep their relationship secret.
129. Following the panel's finding that allegations 1a, 1b and 1d to 1h were proved the panel then went on to consider whether or not such conduct meant that Ms Cowdry failed to maintain appropriate professional boundaries with Service User A between in or around March 2015 and 4 January 2019, in that Ms Cowdry pursued a course of conduct to establish and maintain a personal relationship with Service User A.
130. With regard to the dates of the allegation the panel referred to the evidence that Ms Cowdry was allocated the case of Service User A in approximately March 2015. The panel also took account of the evidence of Service User A who stated that she ended the relationship on 4 January 2019 when she saw Ms Cowdry smoking crack cocaine in

Service User A's home. The panel decided that the dates surrounding the allegations were proved.

131. The panel then went on to consider Ms Cowdry's conduct and its relation to professional boundaries in that a personal relationship was apparently established and maintained. The panel concluded that in light of Ms Cowdry's proved conduct between, in, on or around March 2015 to January 2019 it was clear that Ms Cowdry had established and maintained a personal relationship with Service User A and that in doing so she had failed to maintain professional boundaries.

132.

2. Having been allocated as a care coordinator to Service User A between in or around March 2015 and December 2015, you financially exploited Service User A, in that you:

- a. Used emotional pressure to seek money from Service User A on one or more occasion(s), by providing reasons you wanted money;
- b. Obtained money from Service User A approximately between 1 September 2015 and 31 December 2018;
- c. Did not repay all such sums to Service User A.

FOUND PROVED IN ITS ENTIRETY

133. With regard to 2a, the panel referred to the evidence within the hearing bundle showing screen shots of Service User A's mobile phone and several requests by Ms Cowdry asking for money. The reasons included that Ms Cowdry needed money to have her dog put to sleep, on another occasion she said that she was at the side of the road in the rain and needed money for a taxi and another time she said that she did not have any food. The panel considered that the language was intended to persuade Service User A and noted language from Ms Cowdry such as "love you", which would prey upon Service User A. The panel considered that Service User A was vulnerable and decided that Ms Cowdry did use emotional pressure to seek money from Service User A on one or more occasions, by providing reasons Ms Cowdry wanted money.

134. The panel considered 2b and the bank statements of Service User A. The panel also took account of Service User A's evidence in her witness statements that she had given money to Ms Cowdry by bank transfer and also by cash. The panel decided that the payments had been made. With regard to the dates of the payments the panel concluded that they did take place between the dates described taking account of Service User A's evidence and that the relationship ended on 4 January 2019.

135. With regard to 2c the panel referred to evidence in text messages of Service User A asking Ms Cowdry to have her money back. There was also evidence that Service User A

was struggling financially and could not afford food or furniture. The panel considered that although there was no audit trail it was relevant that Service User A was chasing repayment, which Ms Cowdry questioned. The panel decided that Ms Cowdry was financially exploiting Service User A and did not repay all such sums to Service User A.

136.

3. You have used illegal substances and/or supplied illegal substances to Service User A, in that you:

a.Used cocaine, a Class A controlled drug, between approximately 11 February 2016 and 4 January 2019;

b.Such cocaine use took place in the presence of Service User A;

c.Supplied cocaine, a Class A controlled drug, to Service User A between approximately 1 November 2016 and 4 January 2019.

FOUND PROVED IN ITS ENTIRETY

137. With regard to 3a, the panel took account of the witness statement of Service User A and her evidence that she had seen Ms Cowdry using cocaine when they were on holiday in Jamaica and seen her use it over a considerable period of time including escalating from weekly use to daily use. The panel also relied on the oral evidence of Service User A and that she finished the relationship on 4 January 2019 when she saw Ms Cowdry use crack cocaine in her home. The panel decided that Ms Cowdry did use cocaine, a class A controlled drug between approximately 11 February 2016 and 4 January 2019.

138. The panel considered 3b and took account of the witness statements and evidence of Service User A. The panel considered that she was a reliable and credible witness. Service User A recalled that Ms Cowdry regularly took drugs in her presence. The panel decided that Ms Cowdry did use cocaine in the presence of Service User A.

139. With regard to 3c Service User A described Ms Cowdry offering her cocaine on the first occasion in November or December 2016, which was the year after she stopped being her Care Co-ordinator. The panel also noted that Service User A “was getting increasingly scared by Ms Cowdry as her drug used had increased”. She “felt that she was getting more reckless, this is why I felt I had to report her” and the relationship concluded on 4 January 2019. The panel decided that Ms Cowdry supplied cocaine, a Class A controlled drug, to Service User A between approximately 1 November 2016 and 4 January 2019.

140.

4. Your conduct outlined in particulars 1-3 placed the health and safety of Service User A at unacceptable risk.

FOUND PROVED

141. The panel referred to Ms Cowdry supplying Service User A with cocaine, financially exploiting her, and causing her to have an emotional dependency on Ms Cowdry. Ms Cowdry had been Service User A's Care Co-ordinator, but consistently breached professional boundaries. It is clear from Service User A's evidence that she was struggling financially due to Ms Cowdry asking for money and that she was frightened and scared of her. Ms Cowdry's conduct had a significant adverse effect on Service User A, causing paranoia and she has stated that her mental health got worse. The panel considered that Ms Cowdry's behaviour was an abuse of power and directly impacted upon Service User A. The panel decided that Ms Cowdry's conduct within charges 1 to 3 above did place the health and safety of Service User A at unacceptable risk.

142.

5. On or around 10 December 2015, you failed to treat information regarding other service users as confidential, in that you:

- a. Left your work diary insecure and/or unattended;
- b. Left your work diary in the custody of Service User A;
- c. Asked Service User A to take and send photographs of your work appointments;
- d. Discussed details of your work appointments with Service User A.

FOUND PROVED IN ITS ENTIRETY

143. The panel took account of the evidence of Service User A within her witness statements and her oral evidence. The panel noted that Ms Cowdry asked Service User A to put the diary in Service User A's bag. Service User A recounted that Ms Cowdry asked her to take and send photographs of her work appointments. Service User A saw the name of an old school friend in the diary and that confidential information was contained within it. Service User A gave evidence that this occurred during and after a meeting on 10 December 2015.

144. The panel decided that on or around 10 December 2015, Ms Cowdry failed to treat information regarding other service users as confidential, in that she left her work diary insecure and/or unattended. Ms Cowdry did leave her work diary in the custody of Service User A. Miss Cowdry did ask Service User A to take and send photographs of her work appointments and that she did discuss details of her work appointments with Service User A.

145.

6. On 31 January 2020 you were convicted of two offences of:

driving whilst exceeding the specified limit of cocaine on 10 July 2019, and

driving whilst exceeding the specified limit of cocaine on 11 July 2019, contrary to section 5A(1)(a) and (2) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.

FOUND PROVED IN ITS ENTIRETY

146. The panel referred to and relied on the memorandum of conviction within the hearing bundle produced by South East Wiltshire Magistrates Court confirming that Ms Cowdry pleaded guilty to each offence on 31 January 2021. Ms Cowdry was fined £40 for each offence. She was disqualified from driving for a total of 15 months.

147. The panel also took account of Rule 35A of the Social Work England Fitness to Practice Rules whereby where a registered social worker has been convicted of a criminal offence a copy of the certificate or memorandum of conviction, certified by a competent officer of a Court in the United Kingdom shall be conclusive proof of the conviction.

148. The panel decided that Ms Cowdry had been convicted of these two offences.

149.

7. On 10 July 2019 you were found to be in possession of Class A controlled drug, namely cocaine.

FOUND PROVED

150. The panel referred to the evidence within the hearing bundle of the police officer who stopped Ms Cowdry and stated Ms Cowdry produced a small bag of white powder, which had been secreted in her bra. The powder was subject to a presumptive test and was shown to be positive for cocaine. The panel also took account of Ms Cowdry pleading guilty to driving while under the influence of cocaine on 10 July 2019. The panel decided that on 10 July 2019 Ms Cowdry was in possession of a Class A controlled drug, namely cocaine.

151.

8. You failed to inform the regulator of your criminal proceedings and/or convictions at Head of Charge 6 as required by relevant social work standards.

FOUND PROVED

152. The panel referred to the fact that as a registered social worker Ms Cowdry had a duty to inform the regulator of her criminal proceedings and/or convictions in accordance with the standards applicable at that time.
153. The panel also referred to the evidence within the hearing bundle of LM, an investigator at Social Work England who took over the case regarding Ms Cowdry sometime after September 2019. Upon conducting a review of the file she found that there was information from Avon and Somerset Police Force and intelligence from Wiltshire Police Force that warranted further inspection. LM made enquiries with these two Forces and received information that Ms Cowdry had been charged with two driving offences. At that point, a new fitness to practise case was opened. There was no record of Ms Cowdry contacting Social Work England regarding these matters until 11 February 2021 in response to an email from LM.
154. The panel decided that Ms Cowdry failed to inform the regulator of her criminal convictions at Head of Charge 6 as required by relevant social work standards.

Finding and reasons on grounds

155. Mr Harris referred the panel to the objectives of Social Work England and the three parts of public protection, namely protecting the public from harm, maintaining public confidence, and declaring and upholding professional standards. In addition misconduct may be two kinds, namely public and private.
156. Mr Harris submitted that there had been a breach of standards and referred the panel to HCPC Standards of Conduct, Performance and Ethics and Social Work England professional standards.
157. This included HCPC Standards 2012 that as a social worker Ms Cowdry:
- 1) Must act in the best interests of service users.
 - (2) Must respect the confidentiality of service users.
 - (3) Must keep high standards of personal conduct.
158. This also included HCPC standards 2016:
- 1.7 You must keep your relationships with service users and care professionals professional.
 - 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.

9.1 You must make sure that your conduct justifies the public's trust and confidence in you and your profession.

9.5 You must tell us as soon as possible if;

- You accept a caution from the police or you have been charged with, or found guilty of, a criminal offence.

159. With regard to Social Work England professional standard 6.6, Ms Cowdry must declare to the appropriate authority and Social Work England anything that might affect her ability to do her job competently or may affect her fitness to practise, or if she is subject to criminal proceedings or a regulatory finding is made against her, anywhere in the world.
160. Mr Harris submitted that there had been a clear breach by Ms Cowdry of these standards.
161. He submitted that Ms Cowdry had been in a position of power and trust and had exploited her relationship with Service User A. Once Ms Cowdry had stopped being Service User A's Care Co-ordinator there was no reason for contact.
162. Ms Cowdry had breached the most basic of expectations of a social worker and in fact had "gone the opposite way" in that her conduct had caused direct harm to Service User A.
163. Ms Cowdry had placed Service User A at risk, she had had a significant negative impact on Service User A and had not been trustworthy.
164. Mr Harris submitted that Ms Cowdry had groomed Service User A to obtain money from her.
165. Apart from this Ms Cowdry had possessed and used and supplied to Service User A, Class A drugs. She had also failed to refer herself to the regulator in respect of the criminal proceedings against her.
166. Mr Harris submitted that all of these facts demonstrated misconduct.
167. The panel heard and accepted legal advice from the legal adviser on the issue of misconduct. The panel at all times had in mind the overriding objective of Social Work England which includes its duty to protect the public, promote and maintain public confidence in social workers in England and to promote and maintain proper professional standards for social workers in England.

168. The panel was referred to *R(on the application of Remedy UK Limited) v GMC [2010] EWHC 1245 (Admin)* that misconduct is of two principal kinds. First it may involve sufficiently serious misconduct in the exercise of professional practice such that it can properly be described as misconduct going to fitness to practise. Secondly, it can involve conduct of a morally culpable or otherwise disgraceful kind, which may, and often will occur, out with the course of professional practice itself, but which brings disgrace upon the registrant and thereby prejudices the reputation of the profession.
169. The panel considered the HCPC and Social Work England publications referred to by Mr Harris were in force at the time and concluded that the standards which Social Work England submit are engaged. The panel also considered that Ms Cowdry's behaviour was a clear breach of standard 13 of the HCPC's 2012 standards "You must behave with honesty and integrity and make sure that your behaviour does not damage the public's confidence in you, or your profession". It bore in mind that a departure from the standards alone does not necessarily constitute misconduct.
170. The panel decided that the behaviours and conduct of Ms Cowdry in relation to the proven facts in charges 1-5 and 7 and 8, do amount to serious professional misconduct. They are a clear departure from all the standards outlined by HCPC and Social Work England and are serious, fundamental departures which amount to misconduct.
171. The panel concluded that Ms Cowdry's conduct and behaviour fell far below the standards expected of a registered social worker.
172. In making this decision the panel noted that there was little distinction between Ms Cowdry's behaviour when she was Service User A's Care Co-ordinator and when she stopped performing that role. Ms Cowdry's misconduct had started when she was performing her professional role as Service User A's Care Co-ordinator and it continued both outside of the workplace and then after their professional relationship had concluded in December 2015.
173. Ms Cowdry completely disregarded any boundaries between her and Service User A and financially exploited her. In the panel's judgment Ms Cowdry was well aware of Service User A's vulnerabilities and would have known of the likely impact on Service User A of financially exploiting her and supplying her with Class A drugs.
174. Service User A was exceptionally vulnerable and this was clear from the fact that she had been subject to restrictions on her liberty in order to ensure that she was properly cared for and supported. The panel considered that Ms Cowdry's behaviour was reprehensible and members of the public and of the profession would be appalled by her behaviour.
175. Ms Cowdry's breach of trust was wide ranging, multi-faceted and spanned a considerable period of time. It only came to an end when Service User A was able to report her. Ms Cowdry had placed Service User A at risk including by supplying her with

Class A drugs. Ms Cowdry was intent on putting her own interests first no matter what negative or detrimental effects this was likely to have had on Service User A.

Finding and reasons on current impairment

176. Mr Harris submitted that a finding of current impairment should be made on the grounds of public protection and public interest. He referred the panel to the personal and public elements of impairment and the cases of *Cohen v GMC [2008] EWHC 581 (Admin)* and *Yeong v GMC [2009] EWHC 1923(Admin)* and *CHRE v NMC & Grant [2011] EWHC 927 (Admin)*.
177. Mr Harris submitted that the panel should consider the issues of risk, repetition, Ms Cowdry's history of behaviour and whether or not the conduct may be remediable. The panel should also consider public confidence.
178. Mr Harris referred the panel to Ms Cowdry's misconduct in that it had taken place over a long period of time on multiple occasions and there was a range of strands of misconduct and a pattern of behaviour.
179. There had been repeated and numerous breaches of trust by Ms Cowdry. There was no evidence of insight or remediation. Mr Harris submitted that there was a high risk of Ms Cowdry repeating her misconduct and that by her behaviour and attitudes it was difficult to see how remediation could be achieved.
180. Mr Harris reiterated his submission that the panel should make a finding of current impairment to protect the public and in the public interest including to ensure confidence in the profession.
181. The panel heard and accepted the advice of the legal adviser in relation to impairment. The panel was referred to the four tests identified by Dame Janet Smith in her 5th Shipman Report and cited in *CHRE v (1) NMC and (2) Grant*. The panel considered whether:
 - a- The social worker has in the past and/or is liable in the future to place service users at unwarranted risk of harm.
 - b- The social worker has in the past brought and/or is liable in the future to bring the profession into disrepute.
 - c- The social worker has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the profession.

d- Has the social worker in the past acted dishonestly and/or is liable to act dishonestly in the future.

182. The panel determined that Ms Cowdry had in the past and is liable in the future to place service users at unwarranted risk of harm. The panel considered that there was a considerable risk of her repeating the behaviour and misconduct that the panel had found proved.
183. In relation to the misconduct the panel had no written evidence or oral testimony that would evidence that Ms Cowdry has properly reflected and fully understood the seriousness of her misconduct. Nor has she demonstrated that she has developed insight into the failings in her practice and conduct. Neither had the panel any information which would demonstrate any remediation. In the absence of any information from Ms Cowdry, the panel had to conclude that she has not remediated her misconduct. There is no evidence before the panel that Ms Cowdry has taken any responsibility for her actions.
184. The panel concluded that the fact of Ms Cowdry's convictions was a further serious matter, which of itself, warrants a finding of impairment on both public protection and public interest grounds.
185. The panel noted that Ms Cowdry's pattern of behaviour had worsened over time and concluded that she presents a high risk to the public. Ms Cowdry's misconduct had taken place both in and out of work and it was very serious.
186. The panel considered that members of the public and the profession would be appalled by Ms Cowdry's behaviour. The panel decided that Ms Cowdry has in the past brought and/or is liable in the future to bring the profession into disrepute.
187. The panel was also greatly concerned by Ms Cowdry's lack of professionalism regarding the security of confidential information and allowing Service User A to have access to her work diary.
188. When reviewing the wide range of misconduct that has been proved and the panel was clear that Ms Cowdry had breached and is liable in the future to breach fundamental tenets of the profession.
189. The panel when considering the wider public interest decided that a finding of impairment was necessary to maintain public confidence and to uphold the standards of the profession. The panel made its decision on both grounds of impairment and all three limbs of public protection.

Decision on sanction

190. The panel heard submissions from Mr Harris on behalf of Social Work England. Mr Harris drew the panel's attention to the Social Work England guidance on sanctions.
191. Mr Harris submitted that in all of the circumstances of this case a removal order was the most appropriate one to be made by the panel.
192. Mr Harris referred the panel to the case of *Bolton v Law Society [1994] 1 WLR 512*. The purpose of a sanction was not to punish the registrant, but to prevent repetition and to maintain the reputation of the profession.
193. Mr Harris submitted that there was a real need to maintain the reputation of the social work profession in this case. There had been significant and repeated abuses of trust by Ms Cowdry.
194. Mr Harris referred the panel to its own findings at paragraphs 173 to 175 and 185 of its determinations above as follows:

"173. Ms Cowdry had completely disregarded any boundaries between her and Service User A and financially exploited her. Ms Cowdry was well aware of Service User A's vulnerabilities and would have known of the likely impact on Service User A of financially exploiting her and of supplying her with Class A drugs.

174. Service User A was exceptionally vulnerable and this was clear from the fact that she had been subject to restrictions on her liberty in order to ensure that she was properly cared for and supported. Ms Cowdry's behaviour was reprehensible and members of the public and of the social work profession would be appalled by her behaviour.

175. Ms Cowdry's breach of trust was wide ranging, multi-faceted and spanned a considerable period of time. It only came to an end when Service User A was able to report her. Ms Cowdry had placed Service User A at risk including by supplying her with Class A drugs. Ms Cowdry was intent on putting her own interests first no matter what negative or detrimental effects this was likely to have had on Service User A. "

185. The panel noted that Ms Cowdry's pattern of behaviour had worsened over time and concluded that she presents a high risk to the public. Ms Cowdry's misconduct had taken place both in and out of work and it was very serious."

195. Mr Harris referred the panel to the sanctions guidance and that remediation should be considered when determining sanction. Mr Harris submitted that there was no evidence of remediation and that it was necessary and proportionate to remove Ms Cowdry from the register. Ms Cowdry had breached the most basic of standards expected of a social worker.

196. Ms Cowdry's conduct had had a significant impact on Service User A, purely for Ms Cowdry's own benefit and enjoyment.
197. Ms Cowdry's behaviour showed a deeply ingrained attitude. She had abused drugs in the presence of Service User A and supplied her with drugs.
198. Mr Harris submitted that the risk of repetition remains and Ms Cowdry's proven behaviour is so serious that only an order removing her from the register will be sufficient to protect the public.
199. Mr Harris referred the panel to the sanctions guidance. Paragraph 92 indicates that if there are no workable conditions then a suspension order would be appropriate.
200. Paragraph 106 deals with an abuse of professional position. Abuse of a professional position to pursue an improper emotional or social relationship with a service user is a serious abuse of trust. Those who access social care will be doing so for reasons that increase their vulnerability and that of their family. Pursuit of an improper emotional or social relationship with a vulnerable person is likely to require a more serious sanction against a social worker.
201. Mr Harris submitted that a removal order was the only appropriate outcome in this case. When considering the gravity of Ms Cowdry's behaviour and the grounds of public protection and confidence, removal was necessary. It was necessary to send a message to the public and other members of the social work profession about the standards required of social workers.
202. Mr Harris then addressed the panel on the requirement for an interim order of suspension should the panel decide that a removal order was required. An interim order would be necessary in accordance with Schedule 2, paragraph 11 (b) of the Social Workers Regulations 2018 to cover the appeal period.
203. The panel heard and accepted the advice of the legal adviser with regard to sanction. The panel should consider that the imposition of a sanction is primarily to protect the public, not to punish Ms Cowdry, although a sanction may have a punitive effect.
204. The panel should consider what sanctions are available and refer to Social Work England's "Sanctions Guidance". The panel must start from the least restrictive sanction. Insight and remediation are important factors. The panel should also identify any aggravating and mitigating factors in the case when deliberating on sanction.
205. With regard to the imposition of an interim order, the test is that it is necessary for the protection of the public and/or in the best interests of the social worker.
206. The panel applied the principle of proportionality by weighing Ms Cowdry's interests with the public interest and by considering each available sanction in ascending order of

severity. The panel considered the mitigating and aggravating factors in determining what sanction, if any, to impose.

207. The panel was unable to identify any mitigating factors in this case.
208. The panel identified several aggravating factors.
209. Service User A was an exceptionally vulnerable individual. Ms Cowdry had exploited her with no apparent regard for the consequences of her actions on Service User A's physical and mental health and wellbeing.
210. As Service User A's Care Co-ordinator Ms Cowdry was in a position of considerable trust and power.
211. Ms Cowdry knew that Service User A was vulnerable and knowingly exploited her over a long period of time. Service User A was 18 years old when Ms Cowdry became her Care Co-ordinator. She lacked life experience. Ms Cowdry took advantage of that.
212. In the panel's judgement the combination of these three aggravating factors makes this case one of extreme seriousness.
213. The panel has taken into account Ms Cowdry's lack of engagement. There is no evidence before the panel of any insight or remediation.
214. The panel took account of the Sanctions Guidance and considering the serious findings of fact, the panel decided that taking no further action or issuing a warning, would not be appropriate in this case as these sanctions would not restrict Ms Cowdry's practice and would therefore not protect the public from the risks that have been identified.
215. The panel went on to consider whether a conditions of practice order would be appropriate. The panel could not identify any conditions, which would be able to control the risk that Ms Cowdry poses to service users given her behaviour and attitudes as demonstrated by her misconduct.
216. Ms Cowdry's misconduct was so very serious that conditions would not ensure public confidence in the social work profession. The panel considered that, in any event, there is no evidence that Ms Cowdry would comply with any conditions given her failure to adhere to basic social work principles and her lack of engagement.
217. The panel then considered whether or not a suspension order would be appropriate. The panel was mindful of the objectives of Social Work England and the three elements of public protection, namely protecting the public from harm, maintaining public confidence, and declaring and upholding professional standards. The panel also considered the continuing risk posed by Ms Cowdry to service users and her lack of engagement with these proceedings.

218. The panel decided that due to the very serious nature of Ms Cowdry's misconduct, as well as her lack of engagement, combined with no evidence of remediation or insight, that a suspension order could not be made. A suspension order was not sufficient to protect the public, public confidence in the profession, nor to mark the public interest in declaring and upholding proper standards of conduct and behaviour.
219. The panel, having concluded that a suspension order would not protect the public nor meet the wider public interest, decided that the proportionate order was a removal order.
220. The panel took into account the Sanctions Guidance which states that, "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."
221. The panel considered that a removal order is a sanction of last resort and should be reserved for those categories of cases where there is no other means of protecting the public and the wider public interest. The panel decided that Ms Cowdry's case falls into this category because of the nature and gravity of her misconduct and the ongoing risk of repetition.
222. Ms Cowdry's wide ranging abuse of position and exploitation of Service User A over an extended period is truly shocking.
223. The panel concluded that her current impairment and continuing risk to service users required that she should be removed from the register to protect the public from harm. The panel was satisfied that any lesser sanction would also undermine public trust and confidence in the profession and would be wholly insufficient to maintain professional standards.
224. In reaching this conclusion the panel balanced the public interest against Ms Cowdry's interests. The panel took into account the consequential personal and professional impact a removal order may have upon Ms Cowdry, but concluded that these considerations are significantly outweighed by the panel's duty to give priority to public protection and the wider public interest.

Interim order

225. In light of its findings on Sanction, the panel next considered the application by Mr Harris for an Interim Suspension Order to cover the appeal period before the Sanction becomes operative.

226. The panel was mindful of its earlier findings, particularly with regard to the ongoing risk posed by Ms Cowdry. It decided that it would be wholly incompatible with those earlier findings and the imposition of a Removal Order to conclude that an Interim Suspension Order was not necessary for the protection of the public or otherwise in the public interest for the appeal period.
227. Accordingly, the panel concluded that an Interim Suspension Order should be imposed on public protection/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. 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

228. 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.
229. 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.
230. 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.
231. 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

232. 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.

233. 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.