



Social Worker: Philip Garfield
Hulme
Registration Number: SW31783
Fitness to Practise
Final Order Review Hearing:

Hearing Venue: Remote Hearing

Date of Hearing: 21 December 2022

Final Order being reviewed:
Conditions of practice order – (expiring 20 March 2023)

Hearing Outcome: Removal Order

Introduction and attendees

1. This is an early review of a final conditions of practice order originally imposed for a period of 18 months by a panel of adjudicators on 26 May 2021 and varied and extended on 10 May 2022.
2. Mr Hulme did not attend and was not represented.
3. Social Work England was represented by Ms Oliver, presenting officer instructed by Capsticks LLP.

Adjudicators	Role
Sara Nathan	Chair
Suzanna Jacoby	Social Worker Adjudicator

Hearings Team/Legal Adviser	Role
Khadija Rafiq	Hearings Officer
Gabriella Berettoni	Hearings Support Officer
Andrew McLoughlin	Legal Adviser

Service of Notice and proceeding on short notice:

4. Mr Hulme did not attend and was not represented. The panel of adjudicators (hereinafter “the panel”) was informed by Ms Oliver that notice of this hearing was sent to Mr Hulme by email on 23 November 2022 to an email address held by Social Work England and from which Mr Hulme had corresponded. Ms Oliver submitted that the notice of this hearing had been duly served.
5. Ms Oliver accepted that Mr Hulme was entitled to 28 days notice of the hearing but had only been given 27 days and requested that the panel permit the hearing to continue. She submitted that there was no prejudice to Mr Hulme in proceeding as he had sent an email dated 16 December 2022 to Social Work England which stated as follows: –

“I appreciate this update but have consistently stated and would also like the panel to know, that I have not practiced since 2016 and do not intend to do so. Whilst a (sic) fully respect the panel it seems to be a complete waste of time to have continued to pursue this when in effect I have stood down.”

6. The panel accepted the advice of the legal adviser in relation to service of notice.
7. Having had regard to Rules 16 and 44 of the Fitness to Practise Rules 2019 (as amended) (“the Rules”) and all of the information before it in relation to the service of notice, the panel was satisfied that notice of this hearing had been served on Mr Hulme in accordance with the Rules and that the matter should proceed on short notice.

Proceeding in the absence of the social worker:

8. The panel heard the submissions of Ms Oliver on behalf of Social Work England. Ms Oliver submitted that notice of this hearing had been duly served, no application for an adjournment had been made by Mr Hulme and, as, such there was no guarantee that adjourning today’s proceedings would secure his attendance. Ms Oliver further submitted that there were public protection concerns arising from the allegations that had been proved and Mr Hulme’s lack of substantive engagement in complying with the conditions of practice order. She 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 Rule 43 of the Rules and the cases of *R v Jones [2003] UKPC*; *General Medical Council v Adeogba [2016] EWCA Civ 162*.
10. The panel considered all of the information before it, together with the submissions made by Ms Oliver on behalf of Social Work England. The panel considered that in the light of the response received from Mr Hulme in his email of 16 December 2022, there would be no purpose in adjourning the matter. The panel noted that Mr Hulme had been sent notice of today’s hearing and the panel was satisfied that he was or should be aware of today’s hearing.
11. The panel, therefore, concluded that Mr Hulme had chosen voluntarily to absent himself. The panel had no reason to believe that an adjournment would result in Mr Hulme’s attendance. Having weighed the interests of Mr Hulme in regard to his attendance at the hearing with those of Social Work England and the public interest in an expeditious disposal of this hearing, the panel decided to proceed in Mr Hulme’s absence.

Review of the current order:

12. This final order review hearing falls under the Transitional and Savings Provisions (Social Workers) Regulations 2022 (as amended) and as a result the review will be decided in accordance with Part 5 of the Regulations, Schedule 2 paragraph 15 of the Regulations and Social Work England’s Fitness to Practise Rules.
13. The current order is due to expire at the end of 20 March 2023.

The allegations found proved which resulted in the imposition of the final order were as follows including the background circumstances:

14. *In your role as a Social Worker at Manchester City Council:*

1. Between around August 2015 and June 2016, you did not provide, and/or record providing, adequate supervision and/or case direction to SW:1 in relation to Child A's case, including, on the following dates:

- a. 30 September 2015;*
- b. 13 November 2015;*
- c. 11 January 2016;*
- d. 10 February 2016;*
- e. 23 February 2016;*
- f. 17 March 2016;*
- g. 19 April 2016;*
- h. 22 April 2016;*
- i. 8 June 2016.*

2. You did not adequately support SW:1 in implementing the necessary procedure and/or strategy in relation to Child A's care as set out in Schedule A.

3. Between around August 2015 and June 2016, as SW:1's supervisor, you failed to appropriately assess and/or manage the risk in relation to Child A's case, in that you did not:

- a. ensure SW:1 completed risk assessments and/or adequately assessed risk, as set out in Schedule B; **[Schedule B(i), B(v), B(vii) and B(ix) found not proved]***
- b. ensure SW:1 arranged strategy meetings and/or discharge planning meetings as set out in Schedule C; **[C(i) found not proved]***
- c. attend and/or ensure that risk management meetings or strategy meetings were adequately attended, as set out in Schedule D; **[D(i), D(iii), and D(iv) found not proved]***
- d. ensure SW:1 implemented appropriate safeguarding measures, as set out in Schedule E. **[E(i) found not proved]***

4. Between around August 2015 and June 2016, you failed to ensure documentation in relation to Child A's case was adequate in that you:

- a. approved a report by SW:1 for the Looked After Child ("LAC") review on 10 December 2015 without ensuring that it was fit for purpose;*

b. [found not proved]

5. On or around 22 June 2016, you did not ensure that prompt action was taken following Child A being assaulted by her father.

6. The matters set out in paragraphs 1 – 5 constitute misconduct.

7. Your fitness to practice as a Social Worker is impaired by reason of your misconduct.

15. On 1 July 2016, the Health and Care Professions Council (HCPC) received a referral regarding Mr Hulme from Manchester City Council (the “Council”). Mr Hulme had been suspended from work and an investigation was being conducted into concerns around an alleged failure to follow safeguarding processes and to have sufficient oversight over the caseload of a social worker who was described as newly qualified (MC).
16. Mr Hulme commenced employment at the Council on 26 March 2012. He was employed as a Team Manager in the Children’s Social Work Team. In this role, he was responsible for the provision of care services for vulnerable children and families. He managed ten social workers, nine at level 1, and one at level 2 (senior social worker). During the period covered by the Allegation, he was managed by JH, the Interim Manager of the Locality Team, and then from March 2016, by WB, Interim Head of Service.
17. In the Team Manager role at the Council Mr Hulme received broadly positive appraisals of his performance. No issues were raised about his performance as a manager by his managers until WB raised concerns about the poor team performance and commenced an informal action plan. WB also had concerns about the performance of other teams within the Locality.
18. MC commenced employment with the Council in August 2015. She had qualified as a Social Worker in 2006. After qualification MC worked in two different roles, initially in the Family Support Service and subsequently in a service for drug and alcohol abuse issues. She did not have experience in a statutory social work position. At the Council MC was treated as if she were a newly qualified social worker. She was not working under the Assessed and Supported Year in Employment (AYSE) programme, but she had access to the resources available under that programme. There was an expectation at the Council that a newly qualified social worker would have a protected caseload and receive support from the Team Manager and more experienced team members.
19. The Council uses a standardised supervision system. Each social worker has a file containing notes from their supervision meetings which is maintained by their supervisor. Team Managers are provided with a supervision template. The Council had a policy document for the completion of the supervision notes.
20. In 2014 an OFSTED report graded the Council’s Children’s Services as “inadequate” and made recommendations for improvements which included supervision training for Team Managers. At the time of the relevant events Mr Hulme consistently held a high caseload within his team in the region of 200 cases. The individual social workers within Mr Hulme’s

team had high caseloads and this included MC who held a caseload of up to thirty cases. The caseload for a newly qualified social worker should have been eighteen cases at that time.

21. Child A was sixteen years old in June 2016. She was a Looked After Child allocated to the Looked After Children's Team. In August 2015, Mr Hulme was on annual leave and in his absence his team was under the responsibility of JH, the Interim Manager of the Locality Team. On 1 September 2015, while Mr Hulme remained on annual leave, the case of Child A was allocated to MC by JH. This was an erroneous decision because of MC's inexperience in a statutory social work position.
22. The investigation into Mr Hulme's management of MC in respect of Child A's case was initially conducted by DM. SW, Children's Social Care Head of Service, took over and completed the investigation. In a chronology in his investigation report SW identified a number of key incidents involving Child A as follows:
 - (a). 31 August 2015 – Child A was taken to hospital having suffered an overdose of spice and alcohol;
 - (b). 1 September 2015 – MC was allocated Child A's case by JH. A Risk Management Meeting was held to discuss Child A, MC attended.
 - (c). 17 September 2015 – Child A disclosed historical sexual abuse by her father to her Active Voices Advocate. This disclosure was shared with MC.
 - (d). 20 September 2015 – Child A was taken to hospital. Child A had collapsed in her care home having suffered a reported overdose of alcohol and drugs.
 - (e). 7 December 2015 – Notification was received from Child A's care home that she had assaulted a member of staff by putting them in a headlock. Child A was placed on a behaviour plan.
 - (f). 15 December 2015 – Child A moved to a different care home.
 - (g). 25 January 2016 – Child A verbally abused and threatened staff at her care home. The care home decided to serve their 28 day notice. The 28 day notice means that the home can no longer care for the child and social services are required to find them an alternative placement within 28 days.
 - (h). 1 February 2016 – A very strict working agreement was put in place and Child A's care home retracted their 28 day notice.
 - (i). Child A was taken to hospital following an incident of self-harm, Child A had used a razor blade to cause lacerations on her leg.
 - (j). 2 March 2016 – Child A threatens a member of staff at her care home and tried to kick a door down to get to that member of staff. The care home asked for Child A to be moved that day as they were no longer able to support her.

(k). 17 March 2016 – Notification was received from Child A's care home. Child A had been bullying other residents. The care home served the 28 days' notice on her placement. Following this, Child A was staying with her step-mother.

(l). 22 March 2016 – Child A returned to her care home and stole medication from staff. Child A took an overdose which resulted in her being hospitalised in the Intensive Care Unit.

(m). 19 April 2016 – Child A went missing for 2 days. She went to the hospital on 17 April 2016 as she felt as if she was going to harm herself.

(n) 5 May 2016 – Child A informed MC that she wanted to move out of her father's address. Child A explained that she has been arguing with her father, there was no food or money in the house and that she was smoking spice again.

(o). 19 May 2016 – Notification received from Barnardos that Child A had been using Class A drugs, hearing voices and feeling suicidal.

(p). 27 May 2016 - Child A notifies MC that she is feeling suicidal and that she has been asked to leave her father's address. Two social workers, not including MC, take Child A to Accident and Emergency where she is admitted to hospital. 45 8
Classification: Confidential

(q). 13 June 2016 – Child A is discharged from section 20. Discharge from section 20 means that Child A would no longer be in the Care of the Local Authority.

(r). 21 June 2016 – Following an argument, Child A's father throws a phone at Child A hitting her ribs.

The previous final order review panel on 10 May 2022 determined the following with regard to impairment:

23. *"As a consequence of Mr Hulme's non-attendance, together with no written submissions on the issue of insight and remediation, there was no evidence before the panel that he had acquired a deeper understanding of the seriousness of his misconduct or the impact of his conduct and behaviour on the safety and well-being of Child A. The panel noted that Mr Hulme has not practised as a social worker for approximately 3 years. In the absence of any positive evidence of insight and remediation, the panel was satisfied that there has been no material change in circumstances, since the substantive hearing concluded in May 2021. Therefore, there remains a risk of harm to service users and a risk of repetition.*
24. *The panel noted that a significant aspect of the public component is promoting and maintaining public confidence and promoting and maintaining proper professional standards for social workers. Members of the public would be extremely concerned if a social worker was permitted to resume unrestricted practise in circumstances where the deficiencies in their practice had not been remediated. The panel concluded that, in these*

circumstances, a finding of no impairment would seriously undermine public trust and confidence in the profession and Social Work England as a professional regulator.

25. *Therefore, the panel was led to the conclusion that, Mr Hulme's fitness to practise remains impaired."*

The previous final order review panel on 10 May 2022 determined the following with regard to sanction:

"No Action

26. *The panel first considered taking no action. The panel concluded that, in view of the nature and seriousness of Mr Hulme's misconduct which has not been remedied, and in the absence of exceptional circumstances, it would be inappropriate to take no action on his registration. Furthermore, it would be insufficient to protect the public, maintain public confidence and uphold the reputation of the profession.*

Advice or Warning

27. *The panel then considered whether to issue advice or a warning. The panel noted that neither of these sanctions would restrict Mr Hulme's ability to practise and are therefore not appropriate where, as in this case, there is a current risk to public safety. In any event, the deficiencies in Mr Hulme's practise had the potential to have adverse consequences and therefore some restriction on his practise is required. Therefore, the panel concluded that issuing advice or a warning would be inappropriate and insufficient to meet the public interest.*

Conditions of Practice Order

28. *The panel went on to consider a Conditions of Practice Order. The panel took the view that Mr Hulme's deficiencies are potentially capable of being remedied and was satisfied that appropriate, workable conditions could be formulated. In reaching this conclusion the panel noted that the misconduct findings relate to a single case in an otherwise unblemished career.*
29. *The panel decided that the appropriate and proportionate order is a conditions of practice order. A suspension order or removal order, at this point in time, would be disproportionate as there remains a possibility that Mr Hulme may reflect on the decision of the substantive hearing panel and reconsider a return to unrestricted social work practice.*
30. *The panel accepted the submission made by Social Work England to amend conditions 3, 5 and 9 to ensure that they are aligned with the Conditions Bank. The panel also accepted the proposal that two further conditions should be imposed relating to the provision of a reflective piece and undertaking CPD. In addition, the panel imposed a further condition which requires Mr Hulme to provide testimonials from individuals that can comment with authority on either his paid or unpaid work. The panel noted that it was unclear whether Mr Hulme has decided that he no longer wants to practise as a social worker, at any time in the*

future, or whether he found it difficult to secure social work and, in the meantime, has found employment in another field.

- 31. This Panel cannot bind a future panel, but it is highly likely that if Mr Hulme fails to take advantage of this further opportunity to demonstrate that he is willing to address the deficiencies in his practise the outcome may be a removal order.*
- 32. The panel decided to impose a conditions of practice order for a period of 9 months. The panel concluded that this period of time would be sufficient for Mr Hulme to complete a reflective piece and relevant CPD, find work within in a social work setting (either paid or unpaid) and/or demonstrate a commitment to returning to the Register unrestricted.*
- 33. The varied conditions of practice order are set out below:*
 - 1. You must notify Social Work England within 7 days of any professional appointment you accept or are currently undertaking and provide the contact details of your employer, agency, or any organisation with which you have a contract or arrangement to provide social work services, whether paid or voluntary.*
 - 2. You must allow Social Work England to exchange information with your employer, agency or any organisation with which you have a contract or arrangement to provide social work or educational services, and any reporter or workplace supervisor referred to in these conditions.*
 - 3.*
 - a) At any time you are providing social work services, which require you to be registered with Social Work England, you must agree to the appointment of a reporter nominated by your employer and approved by Social Work England. The reporter must be on Social Work England's register. Your reporter and workplace supervisor can be the same person if agreed by Social Work England.*
 - b) You must not start or continue to work until these arrangements have been approved by Social Work England.*
 - 4.*
 - a) At any time you are providing social work services, which require you to be registered with Social Work England, you must place yourself and remain under the supervision of a workplace supervisor nominated by you and approved by Social Work England. The workplace supervisor must be on Social Work England's register.*
 - b) You must not start or continue to work until these arrangements have been approved by Social Work England.*
 - 5. You must provide reports from your reporter to Social Work England every four months and at least 14 days prior to any review and Social Work England will make these reports available to any workplace supervisor referred to in these conditions on request.*

6. You must inform Social Work England within 7 days of receiving notice of any formal disciplinary proceedings taken against you from the date these conditions take effect.
7. You must inform Social Work England within 7 days of receiving notice of any investigations or complaints made against you from the date these conditions take effect.
8. You must inform Social Work England if you apply for social work employment/self-employment (paid or voluntary) outside England within 7 days of the date of application.
9. You must inform Social Work England if you are registered or subsequently apply for registration with any other UK regulator, overseas regulator, or relevant authority within 7 days of the date of application [for future registration] or 7 days from the date these conditions take effect [for existing registration].
10. You must read Social Work England's 'Professional Standards' (July 2019) and provide a written reflection within 3 months after these conditions take effect, focusing on how your conduct in matters relating to this case (listed below) was below the accepted standards of a social worker, outlining what you should have done differently.
 - Record Keeping;
 - Safeguarding Children/Assessing Risk.
11. You must undertake 6 hours of CPD in relation to record keeping and safeguarding children prior to the next review hearing.
12. You must provide testimonials from any paid or unpaid employment you have undertaken since the final hearing.
13. You must provide a written copy of your conditions within 7 days from the date these conditions take effect, to the following parties confirming that your registration is subject to the conditions listed at (1-12) above:
 - Any organisation or person employing or contracting with you to undertake social work services whether paid or voluntary.
 - Any locum, agency or out-of-hours service you are registered with or apply to be registered with in order to secure employment or contracts to undertake social work services whether paid or voluntary (at the time of application).
 - Any prospective employer who would be employing or contracting with you to undertake social work services whether paid or voluntary (at the time of application).
 - Any organisation, agency or employer where you are using your social work qualification/knowledge/skills in a non-qualified social work role, whether paid or voluntary.
14. You must permit Social Work England to disclose the above conditions (1-13), to any person requesting information about your registration status.

A future reviewing panel is also likely to be assisted by:

- *Your attendance or participation; and/or*
- *Confirmation of intentions with regard to future employment in a social work role.”*

Social Work England submissions:

34. The panel heard submissions from Ms Oliver as to the background and the previous panel's findings in relation to impairment and sanction. Ms Oliver submitted that the panel should revoke the conditions of practice order and replace it with a removal order.
35. She stated that Mr Hulme has not complied with several conditions of the conditions of practice order by failing to provide evidence of reflection and had not provided details of any CPD undertaken or employment. Therefore, Social Work England was unable to assess whether he has complied with relevant conditions.
36. Ms Oliver further submitted that in Mr Hulme's response to requests from the regulator for evidence of compliance, he has indicated that he has no intention to return to social work and considers the correspondence regarding this conditions to be 'a waste of time'.
37. Ms Oliver submitted therefore that this was new evidence relevant to the order that demonstrates that the conditions of practice order is no longer proportionate, workable or sufficient to protect the public.
38. She submitted that in the absence of any evidence of insight, training, reflection and remediation, then Mr Hulme still poses a risk of harm to the public and the wider public interest in that there remains a risk of repetition. Therefore a more restrictive order is necessary for the protection of the public, including the wider public interest.
39. Ms Oliver submitted that as Mr Hulme has indicated no intention to engage with the order then the imposition of a removal order is the most proportionate and appropriate sanction.

Panel decision and reasons on current impairment:

40. In considering the question of current impairment, the panel undertook a comprehensive review of the final order in light of the current circumstances. It took into account the decision of the previous panels. However, it has exercised its own judgement in relation to the question of current impairment.
41. The panel had regard to all of the documentation before it, including the decision and reasons of the original panel and previous review panel. The panel also took account of the submissions made by Ms Oliver on behalf of the Social Work England.
42. The panel heard and accepted the advice of the legal adviser. In reaching its decision, the panel was mindful of the need to protect the public and the wider public interest in declaring and upholding proper standards of behaviour and maintain public confidence in the profession.

43. The panel first considered whether Mr Hulme's fitness to practise remains impaired.
44. As a consequence of Mr Hulme's non-attendance, and the fact that he had provided no written submissions on the issue of insight and remediation, there was no evidence before the panel that he had acquired a deeper understanding of the seriousness of his misconduct.
45. The panel was satisfied that there has been no material change in circumstances, since the substantive hearing concluded in May 2021 and the review panel of 10 May 2022. The panel concluded that there remains a risk of harm to service users and a risk of repetition.
46. Further, the panel noted that despite an amended conditions of practice order being imposed upon Mr Hulme since 10 May 2022 he had failed to comply with conditions 10, 11 and 12.
47. The panel noted that a significant aspect of the public component is promoting and maintaining public confidence and promoting and maintaining proper professional standards for social workers. Members of the public would be extremely concerned if a social worker was permitted to resume unrestricted practice in circumstances where the deficiencies in their practice had not been remediated.
48. The panel concluded that, in these circumstances, a finding of no impairment would seriously undermine public trust and confidence in the profession and Social Work England as a professional regulator.
49. Therefore, the panel was led to the conclusion that, Mr Hulme's fitness to practise remains impaired.

Decision and reasons on sanction:

50. Having found Mr Hulme's fitness to practise is currently impaired, the panel then considered what, if any, sanction it should impose in this case. The panel had regard to the submissions made along with all the information and accepted the advice of the legal adviser.
51. The panel considered the submissions made by Ms Oliver, on behalf of Social Work England, during which she invited the panel to consider imposing a removal order. The panel also took into account the Sanctions Guidance published by Social Work England.
52. The panel was mindful that the purpose of any sanction is not to punish Mr Hulme, but to protect the public and the wider public interest. The public interest includes maintaining public confidence in the profession and Social Work England as its regulator and by upholding proper standards of conduct and behaviour. The panel applied the principle of proportionality by weighing Mr Hulme's interests with the public interest and by considering each available sanction in ascending order of severity.

No Action

53. The panel concluded that, in view of the nature and seriousness of Mr Hulme's impairment which has not been remedied, and in the absence of exceptional circumstances, it would be

inappropriate to take no action. Furthermore, it would be insufficient to protect the public, maintain public confidence and uphold the reputation of the profession.

Advice or Warning

54. The panel then considered whether to issue advice or a warning. The panel noted that neither of these sanctions would restrict Mr Hulme's ability to practise and is therefore not appropriate where there is a current risk to public safety. In any event, the deficiencies in Mr Hulme's practice had the potential to have wide-ranging adverse consequences and therefore some restriction on his practice is required. Therefore, the panel concluded that issuing advice or a warning would be inappropriate and insufficient to meet the public interest.

Conditions of Practice Order

55. The panel went on to consider a conditions of practice order. The panel took the view that whilst Mr Hulme's deficiencies are potentially capable of being remedied, he had singularly failed to comply with two sets of conditions of practice orders made by previous panel. Mr Hulme had also failed to respond to a fourteen day warning letter and a seven day warning letter sent to him since the imposition of the last conditions of practice order on 10 May 2022. The warning letters requested he complied with the conditions of practice order imposed upon him and indicated a more severe sanction could be imposed upon review.
56. In the circumstances, the panel concluded that Mr Hulme would not comply with a further conditions of practice order were such an order to be imposed.

Suspension Order

57. Having decided that a conditions of practice order would not be appropriate, the panel went on to consider the appropriateness of a suspension order. A suspension order would prevent Mr Hulme from practising during the suspension period and therefore in principle would protect the public and the wider public interest for that period of time.
58. However, the panel noted that Mr Hulme has been subject to a final order for in excess of 18 months and has failed, in that time, to demonstrate adequate insight into his actions and remediation. Having failed to take the opportunities given by the original panel and review panels, the panel concluded that there is little prospect of Mr Hulme using any subsequent opportunities. Mr Hulme is consistent in his desire to no longer practise as a social worker.
59. The panel decided that there was nothing to suggest that a suspension order would be effective in allowing Mr Hulme to return to unrestricted practice given a substantive lack of engagement with Social Work England.
60. In those circumstances, the panel concluded that the imposition of a suspension order would serve no useful purpose. It would merely prolong the processes and would lead to a removal order, just a delayed one. The panel considered that it was contrary to promoting and maintaining public confidence in the social work profession and proper professional standard to continue to restrict Mr Hulme's practice without any reasonable likelihood of

his taking the opportunity to develop his insight and remediation. In those circumstances, no order other than removal from the register is appropriate.

Removal Order

61. The panel noted that a removal order is a sanction of last resort where there is no other means of protecting the public or the wider public interest. The panel took the view that a removal order would be the only order that would adequately maintain public confidence in the profession and professional standards. It also considered that this order was in Mr Hulme's best interest as it would end proceedings which he described as 'a waste of time', and allow him to develop his life and career outside the social work profession.

Right of Appeal:

62. Under Paragraph 16(1)(b) of Schedule 2 of The Social Workers Regulations 2018 (as amended), the social worker may appeal to the High Court against:

a. 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,

b. the decision of the regulator on review of an interim order, or a final order, other than a decision to revoke the order.

63. Under Paragraph 16(2) of Schedule 2 of The Social Workers Regulations 2018 (as amended) an appeal must be filed before the end of the period of 28 days beginning with the day after the day on which the social worker is notified of the decision complained of.

64. Under Paragraph 15(2A) of Schedule 2 of The Social Workers Regulations 2018 (as amended), the decision of a review under sub-paragraph (2) takes effect from the date on which the regulator completes the review notwithstanding any appeal against that decision.

65. This notice is served in accordance with Rules 44 and 45 of the Fitness to Practise Rules 2019 (as amended).

Review of final orders

66. Under regulation 15(1), 15(2) and 15(3) of Schedule 2 of The Social Workers Regulations 2018 (as amended):

- 15(1) The regulator must review a suspension order, or a conditions of practice order, before its expiry.
- 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).

67. Under Rule 16(aa) of the Fitness to Practise Rules 2019 (as amended), a 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.

The Professional Standards Authority

68. Please note that in accordance with section 29 of the National Health Service Reform and Health Care Professions Act 2002, a final decision made by Social Work England's panel of adjudicators can be appealed by the Professional Standards Authority ("the PSA"). The PSA may appeal a panel's final decision if they consider that the decision does not properly protect the public. Further information about PSA appeals can be found on their website at: <https://www.professionalstandards.org.uk/what-we-do/our-work-with-regulators/decisions-about-practitioners>.