

Social Worker: Marsha Longe
Registration Number: SW115245
Fitness to Practise
Final Order Review Meeting:

Hearing Venue: Remote Meeting

Date of hearing: 28 February 2023

Final Order being reviewed: Suspension Order 12 months imposed on 11 December 2020 (and subsequently extended) and due to expire on 04 May 2023

Hearing Outcome: Removal Order to take effect upon expiry of the current order on 04 May 2023

Introduction and attendees

1. This is the fourth review of a final suspension order originally imposed for a period of 12 months by a panel of adjudicators (“panel” hereafter) on 11 December 2020. The suspension order was reviewed on 25 November 2021 and extended for 6 months. It was further extended on 26 May 2022 for a further 4-month period. At the last review on 16 September 2022, the suspension order was extended for an additional 6 months, to take effect upon the expiry of the current suspension Order on 05 November 2022. It is due to expire on 04 May 2023.
2. The meeting was conducted on the papers. Ms Longe did not exercise her right to request a hearing and did not attend. There was no representative from Social Work England in attendance, the decision having been made to conduct the proceedings by way of a meeting.

Adjudicators	Role
Linda Owen	Chair
Rosemary Chapman	Social Worker Adjudicator

Hearings Team/Legal Adviser	Role
Paul Harris	Hearings Officer
James Hurd	Legal Adviser

Service of Notice:

3. The panel had careful regard to the documents contained in the substantive review hearing service bundle as follows:
 - (a) A copy of the notice of interim order review hearing dated 30 January 2023, addressed to Ms Longe at her email address as it appears on the Social Work England Register;
 - (b) An email dated 30 January 2023, addressed to Ms Longe at her email address as it appears on the Social Work England Register, enclosing the link for the documents for the final order review hearing;

- (c) An extract from the Social Work England Register detailing Ms Longe's registered email address;
- (d) A copy of a signed Statement of Service, on behalf of Social Work England, confirming that on 30 January 2023 the writer sent the notice of hearing to Ms Longe at her registered email address. A copy of the email is also included in the service bundle.

4. The panel accepted the advice of the legal adviser in relation to service of notice.
5. Having had regard to Rules 13 and 43-45 of the Fitness to Practise Rules 2019 (as amended) (hereafter "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 Ms Longe in accordance with the Rules.
6. The notice of final order review hearing informed Ms Longe the review would take place electronically. The notice stated:

*"If you would like to attend before the adjudicators in order to make oral submissions, please confirm your intention **by no later than 4pm on 13 February 2023. Unless we hear from you to the contrary, we shall assume that you do not wish to attend a hearing and Social Work England may decide to deal with the review as a meeting.** If Social Work England do hold a meeting, the adjudicators will be provided with a copy of this letter setting out Social Work England's submissions and a copy of any written submissions you provide."*

7. Ms Longe had been made aware that in her absence, the review could proceed as a meeting.
8. The panel heard and accepted the advice of the legal adviser with regard to Rule 16(c) of the Rules which provides:

“Where the registered social worker does not state within the period specified by the regulator whether they intend to attend before the regulator, the regulator may determine whether to make an order by means of a meeting.”

9. The panel was satisfied that it would be fair and appropriate to conduct the review in the form of a meeting in accordance with Rule 16(c).
10. The panel determined that because the practical effect of proceeding as a meeting was to conduct the review of the final suspension order without written submissions from Ms Longe and without her express agreement, it should have regard to the test for considering whether to proceed in the absence of a social worker at a hearing.
11. The panel accepted the advice of the legal adviser in relation to the factors it should take into account when considering this application. This included reference to Rule 43 of the Rules and the cases of *R v Jones [2003] UKPC*; *General Medical Council v Adeogba [2016] EWCA Civ 162* and *Sanusi v GMC [2019] EWCA Civ 1172*.
12. The panel carefully considered all of the information before it and noted that Ms Longe had been sent notice of today’s meeting and the panel was satisfied that she was aware of today’s meeting.
13. The panel concluded that Ms Longe had chosen voluntarily to absent herself. The panel had no reason to believe that an adjournment would result in a greater level of engagement on Ms Longe’s part, whether attendance (by video or telephone) or by advancing written submissions. Ms Longe did not attend the substantive hearing held on 10-11 December 2020 or any of the 3 previous review hearings. Her engagement with these proceedings is largely limited to the provision of a reflective piece of writing dated 10 May 2022. Social workers have a responsibility to engage with Social Work England in response to concerns about their fitness to practise.

14. Having weighed the interests of Ms Longe in regard to her attendance at the hearing/meeting with those of Social Work England and the public interest in an expeditious disposal of this hearing, given this is a mandatory review, the panel determined to proceed in Ms Longe's absence. This was because of the serious issues raised and Social Work England's primary objective of protecting the public.

Review of the current order:

15. This final order review hearing falls under the Social Workers Regulations 2018 (hereafter "the Regulations") and will be determined in accordance with Part 5 of the Regulations, Schedule 2 paragraph 15 of the Regulations and Social Work England's Fitness to Practise Rules.
16. The current order, as noted above is due to expire on 04 May 2023

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

Whilst registered with the Health and Care Professions Council as a Social Worker and whilst working for the London Borough of Barking and Dagenham, you:

1) Between 17 July 2018 and 13 August 2018 accessed the following records on the London Borough of Barking and Dagenham's database, without a work-related requirement to do so:

- a) Service User A*
- b) Child A*
- c) Child B*

2) Breached professional boundaries in that, between 21 August 2018 and 28 August 2018, you sent electronic messages to Service User A:

- a) without a work-related requirement to do so; and/or*
- b) in the knowledge that she was a service user of the London Borough of Barking and Dagenham.*

3) Breached professional boundaries in that you attended Service User A's home on or around 21 August 2018:

- a) without a work-related requirement to do so; and/or*
- b) in the knowledge that she was a service user of the London Borough of Barking and Dagenham; and or*
- c) having obtained her address from the London Borough of Barking and Dagenham's database.*

4) The matters described in paragraphs 1 - 3 constitute misconduct.

5) *By reason of that misconduct, your fitness to practise is impaired.*

The final hearing panel on 25 November 2021 determined the following:

17. At the final hearing before a panel of adjudicators, which took place on 10-11 December 2020, Ms Longe's fitness to practise was found to be impaired due to misconduct, in relation to the proven allegations. A suspension order was imposed for a period of 12 months.
18. The background context of these allegations is that service user A reported that Ms Longe had contacted her about her ex-boyfriend (an alleged Domestic Violence Perpetrator). Ms Longe contacted service user A to discuss the ex-boyfriend as he was also an ex-boyfriend of Ms Longe. Ms Longe accessed the social services database (Liquid Logic) to obtain the contact details of service user A. Several text messages were exchanged between Ms Longe and service user A and Ms Longe went to her home. During the investigation, it was discovered that Ms Longe had accessed the records of service user A, Child A, and Child B without a work-related reason to do so.

The first review panel on 25 November 2021

19. The first review panel extended the suspension order for a period of 6 months. Their finding on impairment was:

28. '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 panel. However, it has exercised its own judgement in relation to the question of current impairment.

29. The panel had regard to all of the documentation before it, including the decision and reasons of the original panel and the correspondence between Social Work England's Case Review Officer and Ms Longe. On 7 July 2021 the Case Review Officer reminded Ms Longe of the recommendations made by the original panel and invited her to send any documentation which would be saved in the case file. Ms Longe replied to the reminder on 11 July 2021. She advised that she was not able to attend any training courses "due to the pandemic", and that she would check whether there were any online courses she could do. She said that she had not "become fully aware that I crossed a line in relation to professional boundaries". She said that she would not be able to produce a reference from an employer because she will not inform her employer of her situation. She said that she would complete a reflective piece and send it when it was completed.

30. On 9 September 2021 a Case Review Officer sent a further reminder of the original panel's recommendations. Social Work England have not received a reflective piece from Ms Longe.

31.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.

32.The panel first considered whether Ms Longe’s fitness to practise remains impaired.

33.The panel found that there was no evidence that Ms Longe’s insight into the seriousness of her misconduct had developed. Ms Longe’s engagement with Social Work England has been limited, she has not been actively engaging in remediation, and she has not demonstrated that she is motivated to take the necessary steps to return to unrestricted practice. Although Ms Longe stated her intention to provide a reflective piece in July 2021, she has not done so. Again, although she stated that she would consider online courses, there was no evidence before the panel that she has taken any steps towards remediating her past misconduct. The panel did not accept that the pandemic explains why Ms Longe has not undertaken the remedial action recommended by the original panel.

34.The panel found no evidence that Ms Longe understands in a meaningful way that what she did was wrong. In view of Ms Longe’s limited insight, the panel concluded that there remains a risk that Ms Longe would repeat similar misconduct and that service users would be exposed to the risk of harm. The panel therefore concluded that a finding of current impairment is required for the protection of the public.

35.A finding of current impairment is also required to maintain public confidence in the profession and to uphold the required standards for social workers. A well-informed member of the public would be concerned that Ms Longe has not demonstrated a sufficient level of insight, that she has not provided any evidence for this review panel, and that there remains a risk of repetition of similar misconduct.’

20. The panel’s conclusion as to sanction is set out below. It explained its reasons for rejecting a less restrictive sanction than a suspension order. The panel then explained the reasons for imposing a suspension order for 6 months as the least restrictive sanction which fully protected the public:

42.‘Having decided that a conditions of practice order would not be appropriate, the panel concluded that the appropriate sanction is a suspension order. A suspension order would prevent Ms Longe from practising during the suspension period, which would therefore protect the public and the wider public interest.

43. The panel determined that the suspension order should be imposed for a period of six months. The panel was satisfied that this period was appropriate. This period would give Ms Longe a further opportunity to reflect on the decision of the original panel and to provide the reflective piece.

44. The panel considered the more restrictive option of a removal order but decided that it would be disproportionate. The panel noted that Ms Longe has engaged with Social Work England and that she stated that she would provide a reflective piece. The panel took the view that it would be fair to give a further opportunity to consider her position and decide whether she wishes to engage with the process in a more meaningful way.

45. The panel remind Ms Longe that the suspension order will be reviewed before it expires and that a review panel will have all sanctions open to it, including the option of a removal order.

46. This panel cannot bind a future panel. However, a future reviewing panel would expect Ms Longe to attend the review hearing and it would be of assistance to that panel if she was able to provide evidence:

- (i) A written reflective statement, preferably using a recognised tool, such as Gibbs or similar, showing an understanding of why her practice fell below the expected standards, and what she would do differently;*
- (ii) Training in professional boundaries; maintaining the privacy, dignity, and confidentiality of service users;*
- (iii) Training demonstrating that she has kept her knowledge and skills up to date;*
- (iv) Any references or testimonials in respect of any employment, whether paid or unpaid.'*

The second review panel on 26 May 2022:

21. The second review panel extended the suspension order for a period of 6 months. Their findings in relation to impairment are set out below:

41. The panel considered that Ms Longe has begun the process but her insight remains incomplete. It is not the panel's function to provide a social worker with a programme of restoration to safe and effective practice. Each social worker must regard themselves as being autonomous professionals, who are personally and fully responsible for the protection of the public within the scope of their practice. It is the obligation of the social worker to demonstrate insight and practical remediation in order to satisfy the panel that they are capable of a safe

and effective return to unrestricted practice. The panel fully understood that Ms Longe had devoted a great deal of time and application to achieving her goal of becoming a social worker. The panel considered that the context of deciding whether Ms Longe remains impaired it was important to remind itself, and anyone reading its decision of two core aspects of this part of the process; first that sanctions have nothing to do with punishment, second sanctions are entirely designed to achieve public safety in all of its aspects set out in the statutory objective.

42. The panel considered that Ms Longe has not demonstrated sufficient insight for it to find that she is no longer impaired. The panel considered that although she has begun to proceed in the right direction, she has not backed up what she has said in her reflective piece by producing records of CPD courses, a log of actions taken or work done or any participation in the process. Ms Longe has not attended and has not committed to attending a future a review panel to explain the extent of her insight and understanding, and the practical steps to protect the public that she has or will take to ensure there will be no repetition of any further falling short. While creditable, a recognition of the GDPR implications of a data breach could equally be relevant to any workplace. The panel wanted to read Ms Longe's reflections on the impact that her actions may have had for vulnerable service users, her professional colleagues, the wider public in light of the standards which social workers are held to. This would provide practical means of reassuring service users, professional colleagues, and the public that there will be no further concerns regarding Ms Longe's professional practice in future, in any context including maintaining professional boundaries might be regarded as the conventional step forward towards unrestricted practice.

43. The absence of Ms Longe's insight and remediation meant for the panel that the risks to the public remain unaddressed.

44. The panel found only limited evidence that Ms Longe understands in a meaningful way that what she did was wrong. In view of Ms Longe's limited insight, the panel concluded that there remains a risk that Ms Longe would repeat similar misconduct and that service users would be exposed to the risk of harm. The panel therefore concluded that a finding of current impairment is required for the protection of the public.

45. A finding of current impairment is also required to maintain public confidence in the profession and to uphold the required standards for social workers. A well-informed member of the public would be concerned that Ms Longe has not demonstrated a sufficient level of insight, that she has not provided any evidence for this review panel, and that there remains a risk of repetition of similar misconduct.

22. The panel's conclusion on sanction was:

50. The panel went on to consider a conditions of practice order. The panel took the view that Ms Longe has not demonstrated a sufficient level of insight and

engagement with Social Work England for the imposition of conditions of practice. The panel would expect Ms Longe to have demonstrated understanding of the seriousness of her misconduct and its impact on service users, colleagues, and the profession, before conditions of practice might be considered as an appropriate measure to mitigate against the risk of repetition. The panel would also expect Ms Longe to be actively engaging in remedial action, keeping her knowledge and skills as a social worker up to date, and demonstrating her commitment to take the steps necessary to return to safe and unrestricted practice as a social worker.

51. The panel decided that conditions of practice would be insufficient to protect the public and to protect the public interest.

Suspension Order

52. Having decided that a conditions of practice order would not be appropriate, the panel concluded that the appropriate sanction is a suspension order. A suspension order would prevent Ms Longe from practising during the suspension period, which would therefore protect the public and the wider public interest.

53. The panel determined that the suspension order should be imposed for a period of four months. The panel was satisfied that this period was appropriate. This period would give Ms Longe a further opportunity to reflect on the decision of the original panel and to provide evidence of training and testimonials or references.

54. The panel considered the more restrictive option of a removal order but decided that it would be disproportionate. The panel noted that Ms Longe has begun to engage with Social Work England and has provided a reflective piece. The panel took the view that it would be fair to give a further opportunity for Ms Longe to decide whether she wishes to engage with the process in a more meaningful way.

55. The panel remind Ms Longe that the suspension order will be reviewed before it expires and that a review panel will have all sanctions open to it, including the option of a removal order.

56. This panel cannot bind a future panel. However, a future reviewing panel would expect Ms Longe to attend the review hearing and it would be of assistance to that panel if she was able to provide evidence:

- 1. A log and certificates, setting out training in professional boundaries; maintaining the privacy, dignity, and confidentiality of service users which addressed the needs of service users and the public to be reassured that Ms Longe will not place them at risk again in any context.*

2. *Training demonstrating that she has kept her knowledge and skills up to date.*
3. *Any references or testimonials in respect of any employment, whether paid or unpaid.*

The third review panel on 16 September 2022

23. The third review panel also extended the suspension order for a period of 6 months. Their rationale is set out below:

31.The panel first considered whether Ms Longe’s fitness to practise remains impaired. The panel noted that the previous panel found that the risks to the public remained unaddressed due to the absence of Ms Longe’s insight and remediation. It had found only limited evidence that Ms Longe understood in a meaningful way that what she had done had been wrong.

32.The panel at this review considered that Ms Longe’s misconduct was potentially remediable and she had made some attempts at remedying it. The panel therefore considered whether the remediation had been sufficient. The panel at this review had the benefit of Ms Longe’s updated reflections document. It noted that Ms Longe had attempted to address the issues raised in the last review determination.

33.The panel decided, however, having read the document and considered the information about updated reading provided, that Ms Longe still had not fully addressed the concerns raised by previous panels. Her reflections were very focussed on the issues concerning data breaches.

34.The panel noted that the persuasive burden lay with Ms Longe to show that she has dealt with past concerns. It noted that the breach of professional boundaries concerned, not just the data breaches, but also contacting Service User A and attending their home. Further, although Ms Longe had set out her general reflections on the data breaches, she had not sufficiently demonstrated how she had applied these reflections to the particular professional breaches in this case, and how she would apply them to her practice in future.

35.The panel noted that Ms Longe had not provided for this review details of any training in professional boundaries, beyond reference to materials that she had read. Importantly, she had not set out how her reading had affected her insight and how she might apply this learning in future practice.

36.The panel also noted that, although previous panels had suggested the provision of references or testimonials in respect of employment, Ms Longe had not provided them for this review. It noted her explanation for this and had some concerns over her lack of openness with her current employers. In any

event, the panel could not be satisfied as a result, that Ms Longe has made suitable progress with any current employment.

37.The panel considered that, as well as references from employers, it may be possible for Ms Longe to seek appropriate testimonials as to her character and conduct from other appropriate individuals outside of the employment sphere.

38.As a result, the panel determined that Ms Longe’s fitness to practise remains impaired as she has not demonstrated the gaining of full insight and has not sufficiently remedied the past misconduct. Moreover, the panel decided that in the light of the finding of a continued risk to the public, there was also a need to find impairment in order to maintain public confidence and professional standards, as members of the public and professional colleagues would be concerned if no restrictions on Ms Longe’s practice were in place while such risks remained.

24. The panel was invited by Social Work England to make a removal order, but instead determined that the appropriate order was a further suspension order for a period of 6 months:

46.Having determined that a conditions of practice order would not be appropriate, the panel considered whether the appropriate sanction was a suspension order. A suspension order would prevent Ms Longe from practising during the suspension period, which would therefore protect the public and the wider public interest.

47.The panel took into account that Ms Longe had been subject to a suspension order, as extended, since December 2020. Ms Longe had limited engagement with the fitness to practise hearings and had not attended the original hearing, nor any of the reviews.

48.However, Ms Longe had provided written reflections to Social Work England and engaged to the limited extent of correspondence. She had expressed the importance of her social work qualification to her and the effort she had taken to gain it. The panel noted that Ms Longe was relatively new into practice when the matters in question had occurred.

49.The panel noted that it had the power to impose a removal order, but that this 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, at this stage, still a disproportionate step while Ms Longe has shown the potential to engage with the regulator.

50.Having determined that the public is adequately protected by the continued suspension of Ms Longe from practice, the panel decided that, at this stage, it would be appropriate to extend the suspension from its current expiry date. It wished to give Ms Longe a further opportunity to consider the views expressed

by this panel (and previous panels) on the issues that she needs to address, if she wishes to address her current impairment of fitness to practise.

51. The panel determined that the suspension order should be imposed for a period of 6 months. The panel was satisfied that this period was appropriate, in order to allow Ms Longe the opportunity to prepare sufficiently for a further review. Therefore, the suspension period reflects the amount of time that Ms Longe may need to reflect on the panel's findings and devise a plan of action targeted towards a return to the register unrestricted.

52. This panel cannot bind a future panel. However, a future reviewing panel would expect Ms Longe to attend the review hearing and it would be of assistance to that panel if she was able to provide evidence that she has undertaken significant steps that would facilitate a safe and effective return to the register without restriction. This may include:

- 1. An updated reflective piece of writing to provide reflections on all the issues raised in the original findings, including how Ms Longe's reflections will enable her to amend her future practice.*
- 2. A training log and attendance/completion certificates, setting out training undertaken around professional boundaries; maintaining the privacy, dignity, and confidentiality of service users which addressed the needs of service users and the public to be reassured that Ms Longe will not place them at risk again in any context.*
- 3. Evidence of training with a reflective piece of writing outlining her learning and demonstrating that she has kept her knowledge and skills up to date on the matter of Professional boundaries.*
- 4. References or testimonials from appropriate persons who have knowledge of her general character or in respect of any employment, whether paid or unpaid.*

Documents submitted by the Social Worker

25. Ms Longe has not submitted any evidence to the panel following the previous review.

Social Work England submissions

26. The written submissions from Social Work England are set out in the notice of hearing letter dated 30 January 2023. Social Work England are seeking a Removal Order. The basis for this is set out below:

Subject to further meaningful engagement from the Social Worker, and receipt of any evidence that they have now completed the remedial steps recommended by the previous Panel, Social Work England will invite the Panel to consider imposing a Removal order. At the last review hearing, the Panel outlined recommendations including a reflective piece, a training log and references or testimonials from appropriate persons. To date, the Social Worker has not provided evidence in line with the recommendations of the previous Panel, and therefore the concerns regarding her fitness to practice remain.

Social Work England invite the Panel to find that, absent evidence of insight and remediation, her fitness to practise remains impaired in spite of repeated opportunities to engage afforded at previous reviews. If the Panel consider that the Social Worker has not remediated the concerns then they are invited to direct her removal from the register as the appropriate sanction at this stage.

Social Worker submissions

27. Ms Longe has not made any written submissions.

Panel decision and reasons on current impairment:

28. The panel today has taken account of all the evidence available in the hearing bundle, and the written representations made on behalf of Social Work England.

29. The panel also accepted advice from the legal adviser.

30. In undertaking this review today, the panel has reminded itself of the following matters:

- (a) A proper exercise of the review process must involve a comprehensive re-consideration of the initial order, in the light of all circumstances, which are before the panel today. However, it is not the panel's role to go behind the previous panel's findings.
- (b) The panel has, under paragraph 15(1)(a)-(d) of Schedule 2 of the Social Workers Regulations 2018, the following options:

- (i) With effect from the date on which the order would have expired, extend, or further extend, the period for which the order has effect, provided that the extended period does not exceed three years,
 - (ii) With effect from the date on which the order would have expired, substitute any order which the adjudicators could have made at the time they made the order, providing that the period for which the orders have effect does not exceed three years in total,
 - (iii) in the case of a suspension order, with effect from its expiry make a conditions of practice order with which the social worker must comply if they resume practice as a social worker at the end of the period of suspension specified in the order.
- (c) The panel in its deliberations applied the principle of proportionality and balanced the rights of Ms Longe with the protection of the public. Protection of the public is the overarching objective of Social Work England. There are three elements:
 - (i) To protect, promote and maintain the health, safety and wellbeing of the public;
 - (ii) To promote and maintain public confidence in Social Workers in England;
 - (iii) To promote and maintain proper professional standards for Social Workers in England.
- (d) Impairment is about whether a person is fit to practise today and in the future. The events giving rise to a concern will inform any decision about current and future risk to the public, but the purpose of regulation is not to blame or punish for past mistakes or poor behaviour.

31. The panel has comprehensively reviewed all of the documentary evidence before it, relating to the period since the imposition of the original suspension order.
32. The panel first considered whether Ms Longe's fitness to practise remained currently impaired and whether if Ms Longe was allowed to return to unrestricted practice, she may pose a risk to the public and/or because what she has done is so serious it risks undermining public confidence in social workers if there is no finding of current impairment.
33. The panel concluded that Ms Longe's current fitness to practice remains impaired. The panel has not been provided with any evidence to undermine the continued validity of the decision of the previous review panels. Ms Longe has not engaged with Social Work England since the previous review and she has not attended at the review today or provided any written submissions. She has not demonstrated to the panel that she has taken any of the steps to remediate her proven misconduct and/or provided the information which the previous panel thought would assist a reviewing panel. There is hence no further evidence of insight or remediation.
34. There is also therefore no evidence that Ms Longe has undertaken any steps to keep up to date with current practice or continuing professional development.
35. The panel concluded, in these circumstances, that there was an ongoing risk of repetition which posed a risk of harm to the public.
36. The panel also concluded that in the absence of any further engagement or evidence of remediation a reasonable and well-informed member of the public would be extremely concerned by Ms Longe's misconduct and subsequent lack of engagement and decided that a finding of current impairment was required to publicly declare that it was unacceptable for a registered social worker to breach professional boundaries and to access records without a work-related reason to do so.
37. Further, the panel was of the view that public trust and confidence in the social work profession would be significantly undermined if a finding of current impairment was not made, given the serious nature of Ms Longe's misconduct, her limited insight and the absence of any evidence of remediation.
38. The panel concluded that a finding of current impairment was therefore also required in the wider public interest.

Decision and reasons:

39. Having found Ms Longe'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 contents of the final review bundle and accepted the advice of the legal adviser.
40. The panel considered the submissions made on behalf of Social Work England, during which they invited the panel to consider imposing a Removal Order. The panel also took into account the 'Impairment and sanctions guidance' published by Social Work England.

41. The panel was mindful that the purpose of any sanction is not to punish Ms Longe, 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 Ms Longe's interests with the public interest.
42. The panel concluded that it would not be appropriate in the circumstances to take no action, to impose an advice or warning order, or a conditions of practice order for the same reasons as the previous review panels. These orders would not reflect the seriousness of the misconduct and would be insufficient to meet the public interest test and/or provide the necessary degree of public protection required. In addition a conditions of practice order was not practicable, or workable, in the absence of engagement by Ms Longe and any information regarding her current employment or intentions regarding social work practice.
43. The panel considered whether the current suspension order should be extended for a further period of time. Ms Longe has been subject to a suspension order for a period in excess of 2 years. During this period there has been only limited engagement. She did not attend the final hearing and has not attended any of the previous three review hearings.
44. The panel had regard to the guidance from Social Work England in its 'Impairment and sanctions guidance' that a suspension order may not be appropriate where there is limited evidence that the social worker is willing or able to resolve or remediate their failings.
45. Although Ms Longe did provide written reflections to Social Work England prior to the previous review hearing, she has not taken any of the steps recommended by the previous review panel. The previous review panel imposed a further suspension order in order to provide Ms Longe with a further and final opportunity to engage with her regulator and to address the issues raised by the previous review panels. Ms Longe has chosen not to take up that opportunity and this panel can have no confidence that if a further period of suspension were to be imposed that Ms Longe would engage in any meaningful way with her regulator or the review process.
46. The panel was satisfied that it could consider a removal order, which was available to the panel as Ms Longe's fitness to practise was originally found to be impaired on one or more of the grounds set out in regulation 25(2) of The Social Workers Regulations 2018, namely misconduct (regulation 25(2)(a)).
47. The panel had regard to the guidance from Social Work England in its 'Impairment and sanctions guidance' that a removal order may be appropriate where there is a persistent lack of insight into the seriousness of their actions or consequences and where social workers are unwilling and/or unable to remediate (for example where there is clear evidence that they do not wish to practise as a social worker in the future).
48. The panel concluded in these circumstances that a removal order was the only outcome which would be sufficient to protect the public, maintain confidence in the profession or maintain proper standards for social workers in England.

49. 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 appropriate because Ms Longe has been suspended for over two years and has consistently failed to engage with her regulator to the extent required to address her misconduct and current impairment, and hence to reduce the risk to the public.
50. Ms Longe has been given multiple opportunities to provide evidence to review panels of the steps she has taken to remediate her misconduct but has failed to do so. The panel has no confidence that a further period of suspension would result in any appreciable change in her level of engagement or ability to demonstrate that she is safe to return to practice, whether with or with restriction.
51. The panel concluded that Ms Longe is unwilling or unable to remediate, and appears to have made the decision that she does not want to practise as a social worker in the future.

Right of appeal:

52. 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.
53. 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.
54. Under Paragraph 15(1A) of Schedule 2 of The Social Workers Regulations 2018 (as amended), where a social worker appeals against a decision made under sub-paragraph (1), the decision being appealed takes effect from the date specified in that sub-paragraph notwithstanding any appeal against that decision.
55. This notice is served in accordance with Rules 44 and 45 of the Fitness to Practise Rules 2019 (as amended).

Review of final orders:

56. 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).

57. 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

58. Please note that in accordance with section 29 of the National Health Service Reform and Health Care Professions Act 2002, a review decision made by Social Work England's panel of adjudicators can be referred by the Professional Standards Authority ("the PSA") to the High Court. The PSA can refer this decision to the High Court if it considers that the decision is not sufficient for the protection of 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>