

Social worker: Marilyn N Reeve
Registration number: SW101832
Fitness to practise:
Final hearing

Date(s) of hearing: Monday 22 February – Friday 26 February 2021
Resumed 19 May – 21 May 2021

Hearing Venue: Remote Hearing

Hearing outcome: Removal order

Interim Order: Interim suspension order (18 months).

Introduction and attendees:

1. This is a hearing of the Fitness to Practise Committee held under Part 5 of The Social Workers Regulations 2018.
2. Mrs Reeve attended and was not represented.
3. Social Work England was represented by Ms Graham instructed by Capsticks LLP.

Adjudicators	Role
Name: Miriam Karp	Chair
Name: Belinda Henson	Social Worker Adjudicator
Name: Victoria Smith	Lay Adjudicator

Name: Calvin Ngwenya	Hearings Officer
Name: Danielle Wild	Hearing Support Officer
Name: Marian Killen	Legal Adviser

Allegation(s):

1. **In February 2019, you caused your managers to believe that you had attended a best interest decision meeting for Person A on 21 February 2019, when you had not done so.**
2. **Your actions at paragraph one above were dishonest.**
3. **The matters set out at paragraphs one and/ or two above constitute misconduct.**
4. **Your fitness to practise is impaired by reason of misconduct.**

Background:

4. The documentary evidence contained within the hearing bundle records that, on 14 May 2019, the HCPC received a referral regarding Mrs Marilyn Reeve. The referral was made by Mr KN, Deputy Team Manager, London Borough of Hounslow, where Mrs Reeve was working as a locum at the material time.
5. It is noted that Mrs Reeve was employed as a Social Worker on a temporary basis from 10 September 2018 in the Children's Health and Adult Services department in the Heart

of Hounslow Locality Team (“the Team”) until the end of February 2019. Mrs Reeve’s main duties are reported to have been to complete Social Care Assessments, Care Planning and Safeguarding Enquiries for service users referred to the Team.

6. It is alleged that Mrs Reeve dishonestly told her employer (or caused them to believe) that she had attended a Best Interests Decision Meeting (BIM) regarding Person A on 21 February 2019, when in fact, she had not attended.
7. The background and circumstances leading to the Allegation are set out in the Statement of Case as follows:

“Person A had dementia and was receiving support from the Cognitive Impairment and Dementia Service. She was not receiving care from the Local Authority because her family were supporting her privately. In October 2018, Ms TC (Person A’s daughter) witnessed via CCTV cameras in Person A’s home that Person A had been the victim of a serious sexual assault. Following this incident, the police made a referral to the Council and the Social Worker was assigned to the case as the enquiry officer, Mr KN was assigned as the Safeguarding Adults manager.

A Protection Planning Meeting was held with all the relevant individuals, including the police; the recommendation from the police was that Person A be placed in a care home as a place of safety.

On 9th November 2018, the Social Worker completed a Mental Capacity Assessment where it was decided to enter Person A into emergency accommodation, and she was moved into Hanwell House, a care home on an interim basis as part of the immediate protection plan. A Mental Capacity Assessment (MCA) is used to help individuals with decision making where there are difficulties due to an impairment, or disturbance in the functioning of a person’s brain. If a person lacks capacity, which Person A did, a ‘best interests’ decision is made on their behalf with the least restrictive options put in place.

A second MCA was completed by the Social Worker on 28th November 2018 to assess whether Person A had the capacity to consent to sexual activity. The outcome of this assessment was that Person A lacked capacity to consent. This MCA was conducted at the request of the police.

Ms SS took over as the advocate assigned to Person A’s case on 21st December 2018. Ms SS’s role is to work with service users who have been referred to the Kingston Advocacy

Group under the Care Act 2014 to ensure that their views are heard in the decisions that affect how they live their lives.

On 15th February 2019, Mr KN emailed the Social Worker asking for a further MCA and Best Interest Decision making to be completed in relation to Person A. The Social Worker replied, questioning the need for these actions, and Mr KN confirmed that Ms Liz Hughes, Head of Service, had requested the same due to a funding issue.

After an exchange of emails, on 18th February 2019, the Social Worker confirmed with Ms SS that an advocate was required for a Best Interests Meeting to consider whether Person A could stay at the home where she was residing on a permanent basis.

On 19th February 2019, Mr KN emailed the Social Worker asking her to update various casenotes, including Person A's. He also said "Please update the discussion held with advocate in booking the MCA and best interest decision. Please let me know when this will be taking place?."

On 19th February 2019, Ms SS and the Social Worker confirmed by email that the Best Interests Meeting would take place on Thursday 21st February at noon. Mr KN also had sight of this email.

The Social Worker's role was to assess Person A's capacity in relation to making decisions as to where she lived and also to assess whether Hanwell House was suitable longer term accommodation for Person A. These assessments could not be made by the advocate.

It is important that the service user is consulted in the decision making about where they should live as it is a life changing decision. The Mental Capacity Assessment would have given Person A an opportunity to decide where to reside or, if she lacked capacity to do so, for a decision to be made in her best interests.

On 21st February 2019, the Social Worker sent a WhatsApp message to the Team Group "chat" stating that Person A's Best Interests Meeting was now due to take place at 2.15pm and she would not be returning to the office afterwards.

Also on 21st February, the Social Worker sent a message to Mr KN individually on WhatsApp explaining that she would be going to Hanwell House from her own home as it was quicker, together with a question about timesheets. Mr KN replied saying he was not feeling well and had called in sick, he directed the Social Worker to contact NA in relation to the timesheets. There followed some discussion about Mr KN's symptoms and the Social Worker states that she had 'cystitis "this is my only chance to take it to CCF".

After some further messages, Mr KN responded by saying "I've messaged NA to say I won't be in", "Let the team know if they ask", "Thanks". The Social Worker responded within a minute saying "I will rest up [smiley face]".

On 21st February 2019, Ms SS attended Hanwell House, where Person A was living in order to attend the Best Interests Meeting. She was waiting with Mr AK, the manager of Hanwell House, and Person A. As the Social Worker did not attend, Mr AK suggested that the meeting must not be going ahead. Ms SS did not receive any direct communication from the Social Worker.

Instead, Ms SS used the time to check on Person A's wellbeing and how she was coping at Hanwell House. Following this visit, Ms SS prepared a report in which she noted "Visit carried out due to request to carry out a Best Interest review/decision with Social Worker, however this did not occur due to Social Worker not attending the meeting".

On 22nd February 2019, the Social Worker sent a WhatsApp message to the group that read "Dear All please note that I will not be in work today as I am not well.

On 25th February 2019, Mr KN sent a text message asking for confirmation as to the result of Person A's Best Interests Meeting. The Social Worker responded by saying "All decided it was in [Person A's] best interest Advocate Ms SS, DC AL, Mr AK and me..." "to stay at Hanwell House".

On 26th February 2019, Mr AK telephoned Mr KN and informed him that the Social Worker had not in fact attended the meeting which was due to take place on 21st February 2019, having telephoned 10 minutes before the meeting to say she was unwell and would not be attending. The content of this telephone conversation was then confirmed by Mr AK by email.

On 27th February 2019, Ms SS received an email from Mr KN which asked whether a decision had been made as to Person A's long term placement. Ms SS replied on 28th February and informed Mr KN that no decision had been taken as the Social Worker had not attended the meeting. Mr KN confirmed that another Best Interests Meeting would need to be arranged.

Subsequently, another social worker contacted Ms SS and rearranged the Best Interests Meeting and the Mental Capacity Assessment for Person A. The meeting subsequently took place on 26th March 2019.

On 28th February 2019, the Social Worker returned to the office and there was a meeting held between the Social Worker, Mr KN, Ms NA and Ms AR (Service Manager). During the meeting, the Social Worker stated that she had attended the care home to complete the assessment after 5pm and, for that reason, Mr AK would not have been aware of it.

Mr KN telephoned Mr AK later on 28th February 2019 and was informed that he was not aware of a visit after 5pm; the home had had a power cut at that time; Person A's daughter was visiting and it would have been at the time they were serving evening meals and so the visit could not have taken place then.

When questioned on this, the Social Worker said that she may have been incorrect because she suffers from PRIVATE she could not remember what she did that day. Mr KN had not previously been made aware of the Social Worker's PRIVATE and would have conducted a risk assessment if he had.

The Social Worker had also submitted a timesheet claiming 8 hours' work on 21st February 2019 which included the scheduled time of the Best Interests Meeting. This was discussed at the meeting on 28th February 2019 and the Social Worker subsequently submitted an amended timesheet and removed the working hours for 21st February 2019. No explanation was provided.

Ms TC was proactively involved in Person A's care. She was not invited to the Best Interests and Capacity assessment due to take place on 21st February 2019 by the Social Worker and first heard of the meeting when Mr AK contacted her on the 21st February 2019 to ask

whether Ms TC would be attending. Having not been invited by the Social Worker, Ms TC did not attend the meeting.

Ms TC was asked by Mr AK around a week later whether she had seen the Social Worker on the evening of 21st February 2019, and she confirmed that she had not.

The issue of the missed Best Interests Meeting on 21st February 2019 became an issue within the criminal trial of Person A's alleged attacker due to a suggestion that the Social Worker's credibility had been undermined. We understand that the criminal trial is still ongoing."

Preliminary matters:

First Application

8. An application was made at the outset of the hearing by Ms Graham for parts of the hearing to be conducted in private. The panel heard and accepted the legal advice provided by the legal adviser in relation to the powers of the panel under Rule 38(a) of the Social Work England Fitness to Practise Rules. The panel determined that if, and when, any matters of a health, personal or private nature arise during the course of the hearing then those parts of the hearing should be conducted in private in order to protect the interests of Mrs Reeve.

Second Application

9. During the course of the hearing and after the three witnesses had given evidence, Ms Graham made an application to admit a document that Witness 1 had located after he had given his evidence. In summary, it was submitted that the document should be admitted on the basis that Mrs Reeve had challenged Witness 1's credibility about a meeting held on 26 October 2018 and the document was evidence that would assist the panel in relation to assessing his credibility. Ms Graham also applied to recall Witness 1 if the document was admitted. Ms Graham referred the panel to Rule 32 (b) (vii) which provides the panel with power to admit a document if fair to do so.
10. Mrs Reeve did not formally object to the document being admitted but said it was not fair to her if she was not permitted to admit documents. She said that, if the document was to be admitted, then all of the associated documents that would have been created at the same time should be admitted.
11. The panel heard and accepted legal advice as to the admissibility of the document and was referred to several cases including *Thorneycroft v NMC* [2014] EWHC 1565, *NMC v Ogbonna* [2010] EWCA Civ 1216, *El Karout V NMC* 2019 EWHC Admin, *PSA v*

NMC(Lembethe and Mikhisze) [2019]EWHC 3326(Admin) and CHRE v GMC and Ruscillo[2004] EWCA Civ 1356,[2005]1WLR 717.

12. The panel was reminded that it was a panel of inquiry and in reaching its decision as to admissibility, it should consider not just fairness to, and the interests of, Mrs Reeve but should also take into account the impact of admitting the evidence, or otherwise, on the public interest and the overarching objective of the protection of the public.
13. The panel, conscious that Mrs Reeve was not legally represented, approached the application as if an objection had been made to the application. The panel considered whether it was fair at this stage of the proceedings to admit the evidence of a document that could have been made available to Mrs Reeve and the panel at the outset of the hearing. The panel also considered whether the document was relevant to the Allegation and took account of the legal advice provided. The panel considered the submission made by Ms Graham that the relevance of the document only became an issue after Witness 1 was challenged about his credibility in respect of a meeting on 26 October 2018.
14. The panel considered that, while Ms Graham accepted that the document was of tangential relevance to the Allegation itself, she had submitted that it was relevant to the issue of credibility of Witness 1 and the panel would have to assess each witness's credibility in reaching its decision as to the facts of the case.
15. The panel carefully considered the issue of fairness and relevance. It considered whether there was any prejudice to Mrs Reeve if the document was admitted and, if so, how any potential prejudice could be addressed. The panel was also aware of the submissions by Ms Graham that Mrs Reeve would have been aware of the existence and contents of the document as she had been in attendance at the meeting.
16. The panel determined that it was fair to admit the document as it was relevant to the issue of credibility of Witness 1. The panel determined that it would attach whatever weight was appropriate to the contents when carrying out its assessment after all the evidence had been given.
17. The panel considered any prejudice to Mrs Reeve. It offered Mrs Reeve the opportunity to apply to adjourn the hearing to give her time to consider the matter. The panel also offered Mrs Reeve additional time, in the event that she did not want an adjournment, to consider the contents and then address the panel. In addition, the panel informed Mrs Reeve that she would also have the opportunity to make an application to admit additional documents that she considered to be relevant to this particular matter when she had the chance to consider the document.

Third Application

Application by Mrs Reeve

18. Mrs Reeve made an application to submit a text message (relating to the contents of a message between her and a police officer involved in the criminal trial) to rebut the contents of the document that had been the subject of an application by Ms Graham. Mrs Reeve said that the text message would confirm that she was not present at the meeting on 26 October 2018. In response, Ms Graham submitted that the only observation she would make was that the text was not a formal document and that the minutes of the meeting she had applied to admit were a formal document. She submitted that perhaps it was more a matter of weight for the panel to consider if the document was admitted.
19. The panel heard and accepted the advice of the legal adviser. She referred the panel to her earlier advice and advised that admissibility was a matter for the panel and that it should take into account fairness to both Mrs Reeve and Social Work England and take account of the impact of the admission, or refusal to admit, the document on the public interest.
20. The panel determined that it was fair to grant the application to admit the document. Before a copy of the text was provided to the panel or to Ms Graham, Mrs Reeve withdrew her application. Mrs Reeve said she no longer challenged her attendance at the meeting on 26 October 2018 as she had just received independent confirmation from another source that she had in fact been present.

Fourth Application

21. Mrs Reeve made a further application to admit another set of papers that included MCA's and a chronology. She said the documents were not her reports. Ms Graham questioned the relevance of such documents to the fairly narrow issue about the nature of the placement on 26 October 2018. She said that the chronology was not at issue and neither was the wider conduct in relation to other MCA's.
22. The panel heard and accepted the advice of the legal adviser. The panel was referred to the previous advice and reminded that it should consider not just fairness to, and the interests of, Mrs Reeve but should also take into account the impact of admitting the evidence, or otherwise, on the public interest and the overarching objective of the protection of the public.
23. The panel carefully considered the application. The panel determined that the documents had no relevance to the narrow issue raised about the temporary nature of the placement which had been documented in the minutes dated 26 October 2018. The panel therefore refused the application on the basis that there was no unfairness to Mrs Reeve if the documents were not admitted.

Admissions/Agreed Facts:

24. Rule 32 (c)(i)(a) requires a panel to firstly determine any disputed facts. When the Allegation was read at the outset of the hearing the panel was informed that Mrs Reeve admitted Charge 1 of the Allegation and denied Charge 2.

Summary of Evidence:

25. Social Work England relied upon the evidence of three witness who provided signed written statements which contained statements of truth. The witnesses attended the hearing and gave evidence under affirmation and were subject to questioning by the Ms Graham, Mrs Reeve and by the panel. Social Work England also relied on the contents of a hearing bundle which included the following documents:
- the Statement of Case consisting of 11 pages;
 - the Witness statements bundle consisting of 20 pages;
 - the Exhibits bundle consisting of 142 pages;
 - the Service bundle consisting of 12 pages;
 - updated service bundle and additional documents received from Mrs Reeve consisting of 23 pages; and
 - further additional documents received from Mrs Reeve consisting of four pages;
26. In addition, the panel had been provided with a written response to the Allegation from Mrs Reeve which was included in the hearing bundle.

Submissions on behalf of Social Work England:

27. Ms Graham, on behalf of Social Work England, opened the case with reference to the contents of the Statement of Case contained within the hearing bundle and documented in the background section at paragraph 7 above. Referring to the statement of case and exhibits, Ms Graham submitted that the account provided by Mrs Reeve was inconsistent and was not supported by the documents or the contextual evidence that was before the panel. She submitted that, on the balance of probabilities, it looked as if Mrs Reeve had intentionally misled Witness 1 (Mrs Reeve's Team Manager) that she had been at the meeting on 21 February 2019. She submitted that, if the panel was satisfied that Mrs Reeve's actions were dishonest, then this behaviour amounted to misconduct.
28. Ms Graham submitted that this was a serious matter and included an element of dishonesty which increased the severity of the misconduct. She said that Person A was vulnerable by virtue of her age and the violence she was subject to on 25 October 2018 which had resulted in a criminal investigation. Ms Graham submitted that it was unfortunate that the BIM, scheduled for 21 February 2018, was delayed given the

traumatic events Person A had been subject to and that the opportunity for Person A to express her opinion could have been lost.

Witnesses:

Mr KN (Witness 1)

29. The following is a summary only of Mr KN's evidence and is not intended to be a verbatim account. The witness confirmed that he was the Deputy Team manager, having been in post since May 2016. He said he was in charge of a team consisting of two social workers and three support social workers. He explained the nature and role of the responsibilities of the team which related to planning, safeguarding of residents at risk, preparing carers assessments and assessing patients on discharge from hospital. The witness said he was also the Safeguarding Manager. He said the team worked in close partnership with General Practitioners, District Nurses and the police.
30. The witness said that Miss Reeve joined his team on 10 September 2018 as a locum social worker but he was not sure how long her contract was for. He said that he knew Mrs Reeve prior to joining his team as they shared office space when she previously worked as a locum with a different team. He said they had a good relationship which he would describe as friendly. The witness explained how he came to be Mrs Reeve's line manager and said that there had been a difference of opinion between Mrs Reeve and her previous manager and he took over her supervision approximately one month before she left Hounslow Borough Council. During this period of time he said he had one supervision meeting with her but he did not have a written record of the meeting.
31. In relation to Person A, the witness said that she suffered from dementia, was living in her own accommodation and was not getting support from the Borough Council. He said Person A was subject to a shocking incident in October 2018 and a referral was received from the police in relation to safeguarding her. The witness said that Person A's daughter had previously installed a CCTV camera in the living room of Person A's home due to concerns about people visiting the house. When Person A's daughter accessed the CCTV camera on 25 October 2018, she saw Person A being subject to a sex act which became the subject of a criminal investigation. The witness said that a Protection Planning Meeting was organised to ensure Person A was safe and Mrs Reeve was appointed as the social worker. The witness said he was chair of the safeguarding meetings. He said that Mrs Reeve's role was to complete MCA's and BIM's. In relation to preparing and arranging these assessments, the witness said there were Codes of Practice that all social workers had to comply with. He said that Mrs Reeve had provided him with a Certificate in respect of BIM and that she would have had to have a good knowledge of MCA's to have obtained the BIM Certificate.

32. During the course of Mrs Reeve's work, the witness said that he had one issue with notes and records not being updated by her. He said this was put in writing to Mrs Reeve and she updated all the records. There were no other concerns about her work.
33. The witness said that he requested that Mrs Reeve carry out another MCA and BIM and referred to his email, dated 15 February 2019 included in the exhibits bundle. He said a meeting had been scheduled by Mrs Reeve to take place on 21 February 2019. It was his evidence that the meeting was scheduled to take place at noon on 21 February but had been rescheduled to take place at 2.15pm due to Person A's partner being with her at the earlier time. The witness referred to a series of WhatsApp messages contained within the exhibit bundle. He said that he sent a message to Mrs Reeve a few days later as he was being pressurised to provide feedback to his senior managers about the outcome of the meeting. The witness referred to the response which he received from Mrs Reeve saying *"All decided it was in [Person A's] best interest Advocate Suzann Stone, DC AL, Mr AK and me..." "to stay at Hanwell House"*.
34. The witness said he understood from the message that Mrs Reeve had attended the meeting and that the decision had been reached by all of those present. He said he had no doubts as to his understanding from the contents of the WhatsApp message. The witness said he got a call on 25 February 2019 from Mr AK, the manager of Hanwell Care Home, and was informed that the scheduled meeting had not taken place. Mr AK said that Mrs Reeve had telephoned about 10 minutes before the meeting on 21 February 2019 to say that she could not attend as she was not well. When Mrs Reeve returned to the office on 28 February 2019 the witness said that a meeting was held with her, the Senior Manager as well as the Team Manager.
35. Mrs Reeve was asked about the BIM meeting on 21 February 2019. The witness said he had already made contact with DC Lewis and with the Advocate and had been told that Mrs Reeve was not present. The witness said that this meeting with Mrs Reeve was not documented and, on reflection, it should have been. He said he had a very clear recollection of the meeting. It was his evidence that Mrs Reeve said the meeting had taken place and when informed that Mr AK had said it had not taken place, Mrs Reeve said she attended after 5pm. When he told Mrs Reeve that a meeting could not have taken place after 5 pm as there was a power cut, the Care Home was serving pizzas and Person A's daughter was at the care home at that time, Mrs Reeve said she was confused, had a UTI and had epilepsy. The witness was asked by Ms Graham if he was possibly mistaken and he said he was not. He said Mrs Reeve gave three different answers by way of explanation for not attending the meeting.
36. The witness said that another social worker was appointed and the MCA and BIM were held in March 2019. He said that the failure to carry out the MCA and BIM on the scheduled date meant that Person A was not given a voice about her life and important decisions that were life changing for her at that time. He said there was a very serious

impact because the opportunity to take account of Person A's views at that time was lost as capacity can fluctuate.

37. The witness was asked about the time sheet that Mrs Reeve had filled in for 21 February 2019 and said that, if he had not been made aware of her non-attendance on that date, then she would have been paid. After the time sheet was queried by the Team Manager the hours were removed.
38. The witness was then asked about the reference prepared for Mrs Reeve which was included in the trial bundle. The reference contained information that recorded that Mrs Reeve's honesty was satisfactory. It was his evidence that he was advised by Human Resources to amend his reference as no investigation had been carried out and no conclusion reached.

PRIVATE

Ms SS - Witness 2

39. The following is a summary only of Ms SS's evidence and is not intended to be a verbatim account. The witness explained her role as an Independent Mental Capacity Advocate working with the Kingston Advocacy Group. It was her evidence that she took over Person A's case when a colleague left. The witness referred to correspondence that confirmed a meeting had been arranged by Mrs Reeve for 21 February 2019. She said that on 27 February 2019, she received an email from Witness 1 asking her about the meeting that was scheduled to take place on 21 February 2019. She said replied on 28 February 2019 to say that no decision was taken as Mrs Reeve was not present. The witness said that Mr Witness 1 replied to her thanking her for the update and saying he was sorry that Mrs Reeve had not attended, that her contract had finished and the case was being reallocated to another social worker.
40. The witness said she attended a meeting later in March 2019 with another social worker and a decision was made that Person A should stay in Hanwell House on a long-term basis. She said Person A had settled in well and was cared for. The witness was asked about the consequences of the delay in conducting the MCA and BIM. The witness said that delay can cause anxiety and stress both for the family and for the person in the care home as they do not know what the long-term plans are. The witness said that it was not good for a person who lacked mental capacity to be moved from one place to another and that if therapies are required, it is not possible to put them in place if the family or the person concerned does not know where they are going to be placed on a long-term basis.
41. In answer to questions from Mrs Reeve, the witness said that she prepared a report on the 21 February 2019 and observed that Person A had settled as she had spent time with her and noted her good rapport with the carers. The witness confirmed that she

did not discuss her findings with the family on 21 February 2019 but sent a report to Mr AK. She said she had not spoken to Mr AK on 21 February 2019 about her report and she had no record of the Person A's family opposing her residing in a care home.

42. The witness was asked about her understanding of the Care Act 2014 and when it was appropriate for an Advocate to become involved. She said that an Advocate becomes involved after a decision is taken by Social Services that one is needed and a referral is made. She said that a client has a right to an Advocate in order to have their voice heard and she could not recall the reasons for Person A requiring an Advocate at that time. The witness said she was not aware of any opposition from the family to Person A being placed in a care home. She said she would not always be told but if a family member was willing to be an Advocate then she was more than happy that they would do so. She said the rights of a family to either be involved or not be involved are respected. The witness was asked to identify where in the correspondence that Mrs Reeve had said that Person A was assessed as suitable for Hanwell House on a short-term basis. The witness said it was Mrs Reeve's use of the word 'permanent' in the email sent by her on 18 February 2019 that caused her to think that Person A's placement at that time was not permanent.
43. The witness was referred to the contents of the email dated 18 February 2019 and accepted that Mrs Reeve had made it clear that it was her managers who were insisting that the BIM and MCA were carried out. The witness was questioned about what evidence she had access to about Person A's lack of capacity. The witness said that Advocates do not work with a person who has capacity and that there was a presumption when she took over the case that this had already been clarified. She accepted that she did not have the paperwork with her. The witness was asked to explain how she would challenge a social workers assessment if she did not have the assessment of a MCA or BIM. The witness said that the MCA had been addressed before the Advocate became involved. The witness said that if Mrs Reeve had attended the meeting on 21 February 2019 then the witness would have been able to challenge her assessment. The witness agreed that she should probably have seen the assessments before the meeting but they would have been the subject of discussion on 21 February, 2019. Mrs Reeve questioned the witness about how a BIM and MCA could be conducted on the same day. The witness said she would not have expected Mrs Reeve to carry out both assessments on the same day but, where necessary it is possible. The witness was questioned about her prior knowledge of Person A and a MCA. The witness said that she took the case over from a colleague and 'rightly or wrongly' had presumed that Mrs Reeve had carried out a MCA.

Ms TC (Person A's daughter). Witness 3

44. The following is a summary only of Ms TC's evidence and is not intended to be a verbatim account. Ms TCs confirmed that she was Person A's daughter. She said her

mother was diagnosed in February 2018 with dementia and that no support had been provided by the Social Services. The witness said that her mother had since died. The witness said she had not made referrals directly to the Social Services, but the police had made reports as a result of incidents that had occurred at Person A's house. The witness said that people were going into the house and stolen goods were also left in the house. She said she visited her mother every day to check on her and make sure she was eating.

45. On 25 October 2018, the witness said that that Person A was raped which was witnessed by her on CCTV footage. She took a screen shot and then phoned the police. An emergency meeting was organised to assess safeguarding concerns for Person A. The witness said she was telephoned by Mrs Reeve on 25 October 2018 and she attended an emergency meeting on 26 October 2018. She said that Mrs Reeve introduced herself and said she was sorry her mother had *"fallen through the net"*. She said Mrs Reeve should have shown more compassion due to what she was going through. The witness said she had complained about Mrs Reeve to her managers, but nothing was done. She said she had made several telephone calls and had possibly sent emails as well sent to Mrs Reeve's managers. The witness could not remember all the meetings that were held but she did recall the emergency meeting and the MCA to assess Person A's ability to consent to sexual intercourse. She did not attend that specific assessment. She thought she found out about that meeting through the Police or from Mr AK, the Care Home Manager.
46. The witness said that initially, Person A was taken to Hanwell house and did not settle so she took her back home. She said everything was happening so fast and even though she had offered to stay with Person A and keep her at home, Social Services were saying that she could not do so. The witness said that once Person A was moved into Hanwell House, she settled within a few weeks and that it was *"100% the best thing for her"*.
47. The witness was asked about the meeting scheduled for 21 February 2019. It was her evidence that she was unaware of it and had not been invited to attend. She said she was made aware of it on the morning of 21 February 2019 by Mr AK and felt a little upset that she had not been told. She said she would have expected an invitation and wanted to have an input. The witness said she was contacted about a week later by Mr AK and was asked if she had seen Mrs Reeve after 5 pm in the Care Home on 21 February 2019. The witness said that there was a power cut that evening, the residents were getting a take-away curry and she spent between 2-3 hours with Person A. She confirmed she had not seen Mrs Reeve. The witness then said she became aware of Mrs Reeve not attending the meeting when she received an email from Witness 1.
48. Mrs Reeve questioned the witness at length about who informed her that she had not attended the meeting and what she had been told. She questioned the witness about

the concerns she had expressed about the possibility of an untrue report being prepared and why she would think that. The witness was questioned about why she had not spoken to Mrs Reeve directly but waited until after she had left her employment to make a complaint.

49. The witness said that she had raised concerns previously and they were ignored. She said that she was concerned that Mrs Reeve could prepare a report on Person A when she was not present. She said she only had a discussion with Mr AK when he asked her if she had seen Mrs Reeve on 21 February 2019 after 5 pm. The witness confirmed that Person A had settled well into Hanwell House and was happy.

Further evidence of Witness 1

50. Mrs Reeve said she no longer wished to ask Witness 1 any questions as she had admitted her mistake about not being present at the meeting on 26 October 2018. Ms Graham submitted that it would be unfair not to tender the witness for questioning and that Mrs Reeve should be given the opportunity to cross examine him.
51. The witness was questioned by Ms Graham about the content of the document, dated 26 October 2018, which had been the subject of an application to admit in relation to credibility of the witness. The witness said the document contained the minutes of a safeguarding meeting and was created by Mrs Reeve after she had been provided with the minutes taken by a minute taker. The witness confirmed the purpose, date, time and location of the meeting and confirmed that that Mrs Reeve had attended the meeting. The witness took the panel to a section in the document where it was recorded that Person A's placement was a temporary measure to safeguard her as a result of the assault she suffered on 25 October 2018.

The Social Workers evidence was heard in Private: PRIVATE

Closing submissions:

Social Work England

52. Ms Graham submitted, on behalf of Social Work England, that it was for the panel to assess the evidence in relation to each of the Heads of Charge set out in the Allegation and reach a decision based on the balance of probabilities. Ms Graham submitted that Mrs Reeve had inevitably sought to make the case that it was about her employment and the processes that were not followed. She said that that was not what the case was about. She submitted to the panel that the case was about a MCA and BIM that was scheduled to take place on 21 February 2019 and to an internal meeting that took place with her on the 28 February 2019. Ms Graham said that at the heart of the case were a small number of facts, nine in total, and it was on the basis of these facts that

she submitted Social Work England could prove the case by reference to both oral and documentary evidence.

53. Ms Graham identified the nine facts as follows:

- Mrs Reeves was required to carry out a third MCA for Person A;
- the meeting was scheduled to take place on 21 February 2019;
- the meeting did not take place as scheduled as Mrs Reeve did not attend;
- the meeting did not take place at a later time on that date either;
- Mrs Reeve had submitted a timesheet claiming she had worked on 21 February 2019;
- Mrs Reeve gave her manager the impression that the meeting had taken place and that the outcome had been decided on the 21 February 2019;
- a meeting had taken place on 28 February 2019 at which Mrs Reeve was present with her Manager, Team Manager and Service Manager;
- at this meeting Mrs Reeve claimed that she had attended the meeting on 21 February 2019 and subsequently stated it had taken place later in the day and that she was dishonest in doing so; and
- a MCA and BIM did take place on the 26 March 2019 with another social worker.

54. Ms Graham submitted that these facts, if proven, then proved the Allegation. She submitted that Mrs Reeve caused her Manager to believe she had attended a meeting when she had not and that this was dishonest.

55. Ms Graham took the panel through the oral and documentary evidence and submitted that the panel had heard compelling evidence from three witnesses and had been provided with supporting documentary evidence in support of the Allegation and Heads of Charge. Ms Graham identified what she considered to be the relevant evidence in support of the Allegation.

56. Ms Graham submitted that Mrs Reeve had made much of her health but said that no evidence had been provided to the panel that she was suffering from confusion as a result of her health matters. She said that the letter provided by the GP indicated that confusion may be a side effect of her health condition and medication but did not say that it had caused confusion.

Mrs Reeve's closing submissions:

57. Mrs Reeve responded to Ms Graham's closing submissions by saying that whatever decision is made by the panel that she has given it her best. She said that the process was unfair and one- sided and that she had no-one on her side. She said she wanted the process to be finished as she was mentally, physically and emotionally exhausted.

58. Mrs Reeve was afforded some time to consider making closing submissions. Mrs Reeve said that:

- she had emailed the HCPC regarding the concerns raised and copied the Head of Service into her email. She said she was told that the Head of Service had no concerns about her practise;
- the complaint lodged by Witness 1 was raised several months after she left Hounslow Borough Council and that the complaint was prompted by an email received from Mr Brown which appeared to contain a conversation with a police officer about her credibility in the criminal trial which was not true;
- she had provided a text to say that nothing adverse had been said about her;
- there was no dispute over her reference and it was prepared by HR;
- there was no substance in the allegation that she had attempted to dishonestly claim for a day's employment and had provided an explanation in relation to the time sheets; and
- HCPC had no concerns about the timesheets.

59. In relation to Person A, Mrs Reeve said

- that politics were involved in relation to the third MCA that was to be carried out on 21 February 2019;
- Justice had not been served in relation to Person A and that she had been let down by Social Services and the Criminal Justice System;
- she had tried to find a suitable home for Person A and had carried out extensive enquiries to find a care home that would permit Person A to smoke;
- looking back she feels she was set up and that there was no need for a further BIM or MCA;
- Person A was happy and settled in Hanwell House and that the meeting on the 21 February 2019 was not so much of the BIM meeting but more a best decision meeting as Person A was happy and settled;

- she had informed her manager that she could not carry out a further MCA or a BIM and there was no change to Person A's level of need and her family wanted her to stay in Hanwell House;
 - she wasn't disobeying an order to carry out the MCA but she couldn't face Person A after what she had put Person A and herself through in carrying out the capacity to give consent assessment; and
 - she had not been provided with any support or supervision by her manager.
60. In relation to the meeting on 28 February 2019, Mrs Reeve said that no meeting had taken place as the Head of Service would have insisted on proper procedures being followed and there would have been a minute taker present.
61. In relation to the WhatsApp messages Mrs Reeve said:
- she could not account for another person's interpretation of the contents of the WhatsApp message; and
 - she never meant to convey that she was present at the meeting or that the meeting had taken place;
62. In relation to the charge of dishonesty Mrs Reeve said:
- she was not dishonest and would not work after 5 PM as she would not get paid;
 - there was no way that Mr AK would know what she would say during a meeting;
 - she should not have tried to work on 21 February 2019;
 - the stress of this hearing had caused her to PRIVATE
 - she has a job and has found a Social Work Team where she fits in and she is a good social worker;
 - there were no issues prior to this incident and there have been no incidents since;
 - she is frightened of losing her livelihood and is *'fighting against the odds'*;
 - she had no intention of being dishonest;
 - she felt pressurised and had nowhere to turn except to her GP; and
 - that her social work registration means everything to her as she had worked hard to obtain it.

Finding and reasons on facts:

The panel's approach:

63. In reaching its decision on facts, the panel took into account all the oral and documentary evidence in this case together with the submissions made by Ms Graham and Mrs Reeve. The panel also heard and accepted the advice of the legal adviser in relation to the principles it should apply in assessing facts and in relation to the Charge of dishonesty. The panel heard and accepted legal advice in relation to hearsay evidence and to a good character direction. The panel was referred to the principles set out in the case of *Ivey v Genting Casinos (UK) UK Ltd, Trading as Crockfords* (2017) UK LC 67 and in the case of *R v Booth* [2020] EWCA Crim 575.
64. The panel was referred to the test as follows:
65. *"in determining whether the council has proved that the practitioner has acted dishonestly, (i) you must first decide subjectively the actual state of the registrant's knowledge or belief as to the facts. The reasonableness or otherwise of the belief as a matter of evidence (often in practice determinative) going to whether he held the belief but it is not an additional requirement that his belief must be reasonable. The question is whether it is genuinely held. When once his actual state of mind as to knowledge or belief as to fact is established, the question whether his conduct was honest or dishonest is to be determined by the factfinder by applying the (objective) standards of ordinary decent people. There is no requirement that the defendant must appreciate that what he has done is, by those standards dishonest"*.
66. The panel reminded itself that the burden of proof rests on Social Work England and that the standard of proof is the civil standard, namely the balance of probabilities. This means that a fact will be proved if a panel is satisfied that it is more likely than not to have occurred as alleged. The panel was aware that it could draw reasonable inferences from the evidence and come to common sense conclusions, but it must not speculate about what other evidence could have been provided.
67. The panel first considered the quality of the evidence given by the witnesses and in that regard found as follows:

Witness 1

68. The panel found Witness 1 to be a credible, reliable and fair in giving his evidence. The witness said he had a good relationship with Mrs Reeve, having shared office space with her previously and there was no evidence of any animosity towards her. The panel considered that Witness 1 was clear about what he understood the WhatsApp message he received to mean. The panel found Witness 1 to be measured and thoughtful in his answers. He did not alter his evidence despite robust questioning and conceded where he did not know or recall any matter. The panel placed significant weight on this witness's evidence.

Witness 2

69. The panel considered that Witness 2's evidence was clear, consistent and credible. The witness was an experienced Advocate and accepted that Mrs Reeve may have made a telephone call to the Kingston Advocacy Group on 21 February 2019 but that she could not recall receiving a message. The panel placed significant weight on this witness's evidence.

Witness 3

70. Witness 3 was Person A's daughter and the panel acknowledged that giving evidence for her was difficult given that Person A has since died. Witness 3's evidence was limited to a narrow point as to whether she had seen Mrs Reeve at Hanwell House on 21 February 2019. The panel found this witness to be credible and straightforward and that she had a clear recollection of the events on the evening of 21 February 2019. The panel placed significant weight on her evidence.

Mrs Reeve

71. The panel noted that Mrs Reeve did not have the assistance of legal representation to assist her with her case. The panel acknowledge that Mrs Reeve attended the hearing and engaged in the process and had admitted Charge 1. Mrs Reeve also learned during the hearing that Person A had since died and this information caused her considerable distress.

72. The panel found Mrs Reeve's answers to questions to be inconsistent and at times her evidence was difficult to follow. For example, in answer to questions about the purpose of the meeting that she was asked to organise on 21 February 2019, Mrs Reeve said it was a BIM, at another stage she said it was a Best Decision Meeting and later said it was a Best re-assessment meeting. Her answers were at times confused and did not always directly answer the question. The panel considered that less weight could be placed on her evidence.

The panel then considered each Charge in turn.

Panel's Decision

1. In February 2019, you caused your managers to believe that you had attended a best interest decision meeting for Person A on 21 February 2019, when you had not done so.

73. The panel found Head of Charge 1 proved on the balance of probabilities, based on the evidence of Witness 1, the contents of the WhatsApp messages, the oral and documentary evidence of Witness 2 and 3 and the admission made by Mrs Reeve. The panel accepted the oral and documentary evidence of Witness 1 that confirmed Mrs Reeve had been requested to arrange a MCA and BIM and that the meeting was

organised for 21 February 2019. The oral evidence of Witness 2 confirmed that the meeting had not taken place as Mrs Reeve had not attended. Witness 3 confirmed that the meeting had not taken place after 5 pm with Person A on 21 February 2019. The panel accepted the oral and documentary evidence of Witness 1 that confirmed he had been told by Mr AK, the Care Home Manager, that Mrs Reeve had telephoned approximately 10 minutes prior to the scheduled time to cancel the meeting due to feeling unwell. The panel also accepted the evidence of Mrs Reeve that she had not attended the meeting.

74. The panel considered the content of the WhatsApp message that read: *"All decided it was in [Person A's] best interest Advocate Suzann Stone, DC AL, Mr AK and me..." "to stay at Hanwell House"*. The panel accepted the oral and documentary evidence of Witness 1 that he understood the message to mean she had indeed attended the meeting and that he had been misled. The panel determined that the contents of the message could only be interpreted as meaning Mrs Reeve had attended the meeting on 21 February 2019.

Charge 2

Your actions at paragraph one above were dishonest.

The panel found this Charge proved.

75. In applying the test, the panel took account of the legal advice provided in relation to the test as set out of Ivey v Genting Casinos (UK) UK Ltd, Trading as Crockfords (2017) UK LC 67. It also took account of the good character direction provided by the legal adviser and was aware that it should consider whether there was an alternative explanation that was more likely than not to explain Mrs Reeve's actions. The panel noted that Mrs Reeve has not been the subject of any previous disciplinary matter or any subsequent matter.
76. The panel firstly considered what Mrs Reeve's actual knowledge or belief was at the time she sent the WhatsApp message, whether her belief was genuine and then reviewed whether her conduct would be considered dishonest by the standards of ordinary decent people. The panel understood that there was no requirement for Mrs Reeve to appreciate what she did was dishonest by those standards and that it was not necessary to prove a motive in a making a finding of dishonesty.
77. The panel concluded that Mrs Reeve had organised, and was aware of, a meeting scheduled to take place on 21 February 2019 and that she organised the meeting as a result of a direction from Witness 1. This is evidenced by the documentary and oral evidence given by Witness 1 and 2 and by Mrs Reeve. Mrs Reeve was aware she had arranged for Witness 2 to be in attendance. The panel noted that Mrs Reeve said in her oral evidence that, prior to organising the meeting, she had explained verbally to

Witness 1 why she could not carry out the assessments. The panel took account of the contents of several WhatsApp exchanges between Mrs Reeve and Witness 1 and messages from Mrs Reeve to the Heart of Hounslow WhatsApp team group on 21 February 2019. It noted that at 08:11hrs Mrs Reeve messaged Witness 1 directly to say *"Hi Kanwar...I'll be leaving from Northolt to get to Hanwell House"* and at 08:35hrs she messaged: *"Ok I will I've got cystitis but this is my only chance to take it to CCF."* In her evidence, Mrs Reeve told the panel that she was so unwell she could not attend the meeting on 21 February 2019. Mrs Reeve further told the panel that she had telephoned her GP to try and get an appointment for that day. However, the panel noted that Mrs Reeve sent a WhatsApp message to the Heart of Hounslow team group chat at 12:41hrs where she said: *"My Best Interest Meeting will be now taking place at 2:15...I will not be returning to the office because of this reason."* In the panel's view these inconsistencies in Mrs Reeve's accounts of the events of 21 February 2019 seriously damaged her credibility.

78. In reaching its decision, the panel also took into account the evidence given by Witness 1 about the meeting that had taken place on 28 February 2019 and that she had given three different accounts of the events on 21 February 2019. The panel accepted his evidence as reliable and credible and, on the balance of probabilities, found that the meeting had taken place and that Mrs Reeve had given different accounts of the events on 21 February 2019. There was no reason for Witness 1 to make this up and he had given evidence that they had a good relationship. One of the explanations provided by Mrs Reeve at the meeting on 28 February 2019 was that she was confused because of her health condition and medication. The panel considered this explanation and took into account Mrs Reeve oral evidence in its assessment. Mrs Reeve was very clear in her oral evidence that she was not confused at all about the events on either 21 or 28 February 2019 and denied that the latter meeting had taken place as it was not minuted. Mrs Reeve was therefore not relying on being confused about either the events on 21 or 28 February 2019 as a possible explanation for her actions. The panel explored with Mrs Reeve how she might have *'inadvertently'* misled her manager as set out in her written response. Mrs Reeve was not able to provide any explanation. The panel considered the medical evidence provided by Mrs Reeve about possible side effects of the medication and her health condition. The panel found that the medical evidence did not state that Mrs Reeve was confused by reason of her health condition but said that side effects *"can cause confusion"* and in any event Mrs Reeve was clear in her evidence that she was not confused about the events on 21 or 28 February 2019.
79. The panel asked itself whether an ordinary decent person, aware of all the information, would consider her actions to be dishonest. The panel concluded that an ordinary decent person aware of the facts and Mrs Reeve's knowledge and belief at the time, would consider her actions to be deliberate and therefore dishonest by those standards.

80. The panel wish to make it clear that it has not given any weight to the evidence of Witness 1 in relation to the time sheets. This matter is not the subject of the Allegation and there is no evidence before the panel that this was a deliberate attempt by Mrs Reeve to claim pay for a day she had not worked. Factually, it is correct that a time sheet had been submitted at a later date but it forms no part of the panel's assessment as to whether Mrs Reeve was dishonest in misleading her manager in the WhatsApp message, dated 25 February 2019. Mrs Reeve provided an explanation to the panel and was not challenged when she stated that the HCPC was not concerned about the time sheet and that this was an administrative error. In addition, the panel gave no weight to the contents of an email, exhibited in the bundle, from a Mr Brown that was referred to by Witness 1 during the course of his oral evidence. The contents of the email make reference to a discussion that Mr Brown had with a police officer in the criminal trial. The panel consider that this evidence is double hearsay, the maker of the email has not been called as a witness and the content has not been subject to any scrutiny. It forms no part of the Allegation and has been given no weight at all by the panel.

Application for an interim order:

81. An application was made for an interim suspension order on the grounds of public protection, including the wider public interest, after the determination on facts was handed down. Mrs Reeve left the virtual hearing after hearing submissions made by Ms Graham as to the need for such an order.
82. The panel heard and accepted the legal adviser. The panel was referred to the guidance issued by Social Work England and to the statutory test. The panel was required to determine if an order was necessary for the protection of the public or was in the best interests of the Mrs Reeve. The panel considered its findings at the fact stage and determined that the statutory test was met in light of those findings and that there was a need to impose an interim order for the protection of the public. The panel considered firstly whether an interim conditions of practise order would provide the necessary level of protection. The panel determined, that given the nature of the findings which included a factual finding of dishonesty, that an interim conditions of practise order could not be devised that was workable, practical verifiable or measurable.
83. The panel determined that an interim suspension order was appropriate and proportionate and was necessary for the protection of the public and was in the wider public interest. The panel considered the potential impact of such an order on Mrs Reeve, but it had no information or submissions from her as to the potential impact on

her. In any event the panel determined that the protection of the public outweighed Mrs Reeve's interests.

84. The panel therefore determined that an interim suspension order should be imposed for a period of 12 months. This period was considered to be appropriate as the case is now part-heard and a date has not been fixed for the hearing to resume.

85. The hearing resumed on 19 May 2021.

86. Mrs Reeve did not attend and was not represented.

87. Social Work England was represented by Ms Graham instructed by Capsticks LLP.

Adjudicators	Role
Miriam Karp	Chair
Belinda Henson	Social Worker Adjudicator
Victoria Smith	Lay Adjudicator

Hannah McKendrick	Hearings Officer
Kathryn Tinsley	Hearing Support Officer
Gerard Coll	Legal Adviser

Service of Notice:

88. Mrs Reeve did not attend and was not represented. Ms Graham referred the panel to the notice of the resumption of this hearing dated 4 March 2021 sent to the email address held by Social Work England for Mrs Reeve. She took the panel to the statement of service by an officer of Social Work England confirming service on that date by email. Ms Graham submitted that the notice of this hearing had been duly served.

89. The panel accepted the advice of the legal adviser in relation to service of notice.

90. Having had regard to rules 14, 15, 44 and 45 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 Mrs Reeve in accordance with the Rules.

Proceeding in the absence of the social worker:

91. The panel heard the submissions of Ms Graham on behalf of Social Work England who referred to documents in the service bundle for the resumed hearing and submitted

that it was appropriate to proceed in the absence of Mrs Reeve. Social Work England had sent several emails to Mrs Reeve offering support and inviting Mrs Reeve to engage with Social Work England so that Social Work England could consider how accommodations might be made for her before and during any hearing. In response to these emails, Mrs Reeve sent four emails dated 21 April 2021, 22 April 2021, 3 May 2021 and 5 May 2021, which respectively read;

Email from Mrs Reeve 21 April 2021 at 13:52

'Dear Danielle, I am currently in Romania on a family emergency I'm not sure I will be available on the dates provided please can you let me know why the extra 3 days are required as I have been suspended from practice for 12 months?

Kindest regards

Marilyn'

Email from Mrs Reeve 22 April 2021 at 15:02

'Dear Danielle,

Thank you for your email. I was only required in Romania for family reasons until a few days ago and did not know I was needed here as Covid has affected my family here and they needed my help. Please can you conclude the hearing and let me know the outcome?

Kindest regards

Marilyn'

Email from Mrs Reeve 03 May 2021 at 21:16

'Dear Danielle,

Thank you for your email. I have given this matter great consideration and thought but I will not be attending the hearing on the 19.05.21 for the following reasons:

- 1) I was reported by the London Borough of Hounslow to the HCPC after their manager Richard Brown stated in an email that I was thrown out of court. However, this was a complete lie and appears to be being upheld by SocialWork (sic) England.*
- 2) My union BASW dropped me 2 days before my first hearing to my detriment, I don't understand the legal jargon so it is completely unfair.*
- 3) The HCPC found that there was no dishonesty where my time sheets were concerned, but is being ignored.*
- 4) My GP had signed me off medically unfit for work on the 21.02.2019 and provided extensive medical evidence which has not been taken into account.*

5) Meetings alleged by the London Borough of Hounslow have been made-up...there are no minutes to prove that they happened but are being upheld by SocialWork (sic) England.

6) Then the manager of Hanwell House can predict what was going to be asked of me at an alleged meeting that never took place and my response which I find outrageous and totally unfair. Not to mention non-commonsensical (sic) because I would not work past 5pm as I would not get paid.

Therefore, based on the above 6 points and the fact I cannot fight an organisation and every person on the panel including the London Borough of Hounslow. The torture of the ordeal I have already suffered with no support given to me or my health condition was too much and I cannot face that experience again.

Please let me know the outcome of the hearing/ my registration as my livelihood has been taken from me so unjustly and through no fault of my own because I never wanted to carry out the assessment for MC in the first instance but was forced to do so by the London Borough of Hounslow and looks like I have to pay the price for their mistake.

Kindest regards

Marilyn.'

Email from Mrs Reeve 05 May 2021 at 15:57

'Dear Kathryn, Thank you for your email. However, I feel I have made myself clear in my previous email dated: 03.05.21 including the lack of support experienced during the prior hearing which lasted 5 whole days and the fact it appears I am to take the blame for the London Borough of Hounslow's failings.

Kindest regards

Marilyn'

92. Ms Graham submitted that in these circumstances, and taking into account the public interest, it was appropriate to proceed in the absence of Mrs Reeve.
93. The panel accepted the advice of the legal adviser in relation to the factors it should consider 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*.
94. The panel considered all the information before it, together with the submissions made by Ms Graham on behalf of Social Work England. The panel noted that Mrs Reeve had responded to emails to her by Social Work England in some detail, setting out her position. The panel was satisfied that Mrs Reeve was aware of the resumed hearing and the possibility that it may proceed in her absence. The panel inferred

from Mrs Reeve's emails that she did not contemplate the possibility of attending the hearing, nor had she requested for the matter to be adjourned so that she could attend. Mrs Reeve has had sufficient opportunity to engage with Social Work England and the panel did not consider that an adjournment would serve any purpose. The panel considered the potential for prejudice to Mrs Reeve if the resumed hearing were to proceed in her absence.

95. The panel had regard to the overriding objective to protect the public and decided that there was a strong public interest in proceeding with the hearing. In addition to the public interest in the expeditious resolution of regulatory allegations, this allegation relates to events in 2019 approximately two years ago.

96. Having carefully balanced Mrs Reeve's interest and the public interest the panel decided that the public interest outweighed Mrs Reeve's interest. The panel decided that it was fair and appropriate to proceed in the absence of Mrs Reeve.

Finding and reasons on grounds

97. Having announced its decision on the facts the panel went on to determine whether the particulars found proved amounted to misconduct in accordance with Rule 32. Ms Graham submitted that the particulars were sufficiently serious to constitute misconduct and referred the panel to standards for social workers that applied at the time of the events (the Health and Care Professions Council Standards of conduct, performance and ethics (2016) and the standards of proficiency for social workers (2017)).

98. The panel accepted the legal adviser's advice. It understood that a finding of misconduct was a matter for the panel's independent professional judgement. There is no statutory definition of misconduct, but the panel had regard to the guidance of Lord Clyde in *Roylance v GMC (No2)* [2001] 1 AC 311: '*Misconduct is a word of general effect, involving some act or omission which falls short of what would be proper in the circumstances. The standard of propriety may often be found by reference to the rules and standards ordinarily required to be followed by a ... practitioner in the particular circumstances*'. The conduct must be serious in that it falls well below the required standards. The panel recognised that breaches of standards in and of themselves might not necessarily amount to misconduct.

99. The panel considered that by not carrying out the mental capacity assessment and if necessary a best interest decision meeting on 21 February 2019, there was a potential for serious harm to be caused to service user A and were satisfied that Mrs Reeve's actions adversely impacted upon service user A's daughter and Mrs Reeve's professional colleagues.

100. The panel considered that Mrs Reeve had deliberately misled her managers and her

multi-agency partner colleagues. This was a particularly serious episode of dishonesty in the circumstances, which was persisted in and expanded to encompass false statements made to managers and the other staff members who were the participants in the WhatsApp message group set up to assist partners in securing service user A's interests. The falsehoods were expanded upon by Mrs Reeve in the subsequent meeting on 28 February 2019. The panel considered that the falsehoods were again repeated by Mrs Reeve during the hearing. The panel considered that Mrs Reeve had maintained the three inconsistent and equally false versions of events. The panel agreed with Ms Graham that Mrs Reeves had presented a garbled account of her position, tripping herself up repeatedly in her evidence. The panel considered that Mrs Reeve had not shown that she understood the seriousness of what had happened and the impact that her actions had on service user A and service user A's daughter, nor Mrs Reeve's professional colleagues.

101. The panel identified several breaches by Mrs Reeve of the Health and Care Professions Council Standards of conduct, performance and ethics (2016):

Standard 1.2 *You must work in partnership with service users and carers, involving them, where appropriate, in decisions about the care, treatment or other services to be provided*

Standard 2.2 *You must listen to service users and carers and take account of their needs and wishes*

Standard 2.5 *You must work in partnership with colleagues, sharing your skills, knowledge and experience where appropriate, for the benefit of service users and carers*

Standard 6.1 *You must take all reasonable steps to reduce the risk of harm to service users, carers and colleagues as far as possible*

Standard 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*

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

102. The panel also identified several breaches of the Health and Care Professions Council Standards of proficiency for social workers (2017) as follows:

2.3 Understand the need to protect, safeguard, promote and prioritise the wellbeing of children, young people and vulnerable adults.

103. 3.1 Understand the need to maintain high standards of personal and professional conduct.

104. The panel carefully considered the nature and gravity of each of the charges found proved. Charge 1, together with charges 2 had the effect of impeding the timely progress of service user A's needs and welfare. Professional colleagues and

managers had been misled. Service user A's daughter had been adversely impacted. There was potential for a loss of confidence in the social work profession both by members of the public and by professional colleagues. The panel found that the consequence of Mrs Reeve's actions was that Mrs Reeve failed to fulfil her responsibilities to ensure that service user A's needs were met. Service User A was vulnerable due to her health condition and in addition to which had suffered an horrific incident of abuse. The panel determined that, as an experienced competent social worker, Mrs Reeve should have understood the vulnerability of service user A and the importance of the multi-agency meeting on 21 February 2019.

105. The panel considered that members of the profession and members of the public would describe Mrs Reeve's conduct as deplorable. The panel decided that considered both individually and cumulatively, the charges found proved amounted to misconduct.

Finding and reasons on current impairment

106. Ms Graham submitted that Mrs Reeve's fitness to practise is currently impaired, considering the need to protect the public and the wider public interest.
107. There were no submissions from Mrs Reeve. Mrs Reeve's engagement with Social Work England in the period since the hearing was adjourned has been limited to her email responses set out above. Mrs Reeve's emails made it clear that she did not accept that she had been at fault and had not accepted any responsibility for the events of February 2019.
108. The panel paid close attention to the testimonials produced by Mrs Reeves during her earlier participation in the process. In the panels view, the testimonials were inadequate to support any real insight on Mrs Reeve's part. This was particularly so in light of her email responses to Social Work England referred to above, in which she disowned any responsibility for her shortcomings.
109. The panel accepted the legal adviser's advice. It considered Mrs Reeve's fitness to practise at today's date. It had regard to relevant passages in the Guidance. It considered whether the conduct is remediable, whether it has been remedied and the current risk of repetition. It also considered the wider public interest and the guidance in the case of *C HRE v NMC* and *Grant* [2011] EWHC 927 that 'the relevant panel should generally consider not only whether the practitioner continues to present a risk to members of the profession in his or her current role, but also whether the need to uphold proper professional standards and

public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances’.

110. The panel considered the level of Mrs Reeve’s insight. There was no evidence before the panel that Mrs Reeve has reflected on her past behaviour, that she understands the impact of her past behaviour, nor that she has accepted a need to act differently in the future. The panel found that Mrs Reeve has not demonstrated any level of insight.
111. The panel considered whether the conduct is remediable. Dishonesty is difficult to remedy, but the panel did not exclude the possibility of remediation. There was, however, no evidence before the panel that Mrs Reeve has recognised or is remorseful for her misconduct in respect of failing service user A, service user A’s daughter, Mrs Reeve’s professional colleagues or her managers. Mrs Reeve insists in her most recent emails that she has not been listened to properly and has been wrongly held to account for the failings of others. She shows no grasp of the panel’s findings regarding her dishonesty. There is nothing before the panel to indicate that Mrs Reeve has taken remedial action nor that she is willing to do so. The panel determined that Mrs Reeve has not remediated her past misconduct.
112. The panel considered that in the circumstances, there was a high risk that Mrs Reeve would in the future fail to safeguard vulnerable service users. She is liable to be dishonest, as evidenced by her emails which show her persistence in her discredited positions.
113. The panel considered the test for fitness to practise recommended in the case of *C HRE v Grant* [2011] EWHC 927 and decided that:
 - Mrs Reeve has acted and is liable in the future to act so as to put a service user or service users at risk of harm.
 - Mrs Reeve has in the past brought and is liable in the future to bring the profession into disrepute.
 - Mrs Reeve has in the past and is liable in the future to breach one of the fundamental tenets of the profession (breach of professional boundaries, failure to safeguard vulnerable service users).
 - Mrs Reeve has in the past been dishonest and is liable to be dishonest in the future.
114. The panel next considered the wider public interest considerations including the need to maintain confidence in the profession and to uphold proper professional standards.

115. The panel considered that informed members of the public would consider Mrs Reeve's actions to be entirely unacceptable. The potential for damage to the reputation of the profession is evident. In the panel's view, members of the public would be concerned about the ongoing risk of repetition which involves a risk of harm to vulnerable service users and dishonesty. The panel determined that public confidence in the profession would be undermined if the panel did not conclude that Mrs Reeve's fitness to practise is impaired.
116. The panel also decided that a finding of impairment was required to mark the seriousness of Mrs Reeve's breach of the required standards for social workers, including the breaches of fundamental tenets of the profession.
117. The panel found Mrs Reeve's fitness to practise is impaired having regard to the need to protect the public and the wider public interest considerations.

Decision on sanction

118. Ms Graham on behalf of Social Work England addressed the panel on the question of sanctions.
119. Ms Graham said that Social Work England invited the panel to impose a suspension order for 12 months. She reminded the panel that sanctions were a matter for the panel's judgement, and that her instructions predated the resumption of this case and the emails submitted by Mrs Reeve. Ms Graham said conditions of practice were unworkable at present given the attitude expressed by Mrs Reeve in her emails. In any event there had been a finding of dishonesty which is a basic failing and a breach of a fundamental tenet of the profession of social work in England. This was, in her instructions, impossible to address through conditions of practice. Ms Graham said that there had been a lack of insight and remorse by Mrs Reeve, and there was no indication of any willingness to consider remediation. In that situation, conditions of practice were unworkable.
120. Ms Graham submitted that in the light of Mrs Reeve's submissions in her most recent emails, the panel might characterise Mrs Reeve's attitude as one of persistent dishonesty. A removal order can be considered. There has been a substantial level of denial by Mrs Reeve. A removal order could legitimately be regarded as the only one sufficient to protect the public. However in her instructions, the proportionate and appropriate order was to impose a period of suspension. She reminded the panel that a period of short suspension, up to one year, could be considered as proportionate response, where the main focus of sanctions was the reputation of the profession and the maintenance of public

trust and confidence. A suspension order of up to 3 years was available where other factors became relevant.

121. Ms Graham identified the aggravating factors as being;

- the dishonesty was persistent and egregious.
- There was a continued lack of remorse, insight and remediation.

She identified the mitigating factors as being;

- Mrs Reeve said that her situation was linked to her medical condition at that time.
- The scope of the misconduct was limited to a single series of events in relation to one service user.
- There was no fitness to practice history in Mrs Reeve's case.

122. The legal adviser reminded the panel:

- of the options available to it under paragraphs 12(3) and 13 of schedule 2 the Regulations, given that the panel had found that Mrs Reeve's fitness to practise is impaired;
- that sanctions are not intended as a punishment but as a means of achieving the statutory objective of protecting the public;
- the sanction imposed must be proportionate and the minimum necessary to achieve the statutory objective;
- the High Court in *Lusinga v Nursing and Midwifery Council* (2017) EWHC 1458 (Admin) reminded panels that dishonesty is a nuanced concept and should be approached in context when considering a sanction;
- the procedure to be followed in order to determine the appropriate sanction is set out in paragraphs 67 and 69 of the sanctions guidance.

123. The panel then considered which sanction would be appropriate and proportionate. In doing so they:

- followed the procedure mentioned in paragraphs 67 and 69 of the sanctions guidance;
- had regard to paragraph 67 onwards of the sanctions guidance, the submissions made by Ms Graham, the advice of the legal adviser and the

information available to them in the bundles, including the most recent email correspondence from Mrs Reeve;

- took account of the aggravating and mitigating factors mentioned by Ms Graham, although the panel recognised its obligation to identify the aggravating and mitigating factors for itself;
- noted that Mrs Reeve according to testimonials in the bundle was (i) a competent and valid practitioner, (ii) had no relevant regulatory history, (iii) Mrs Reeve asserted that there was a medical history associated with the events of 21 to 29 February 2019.

124. The panel identified the aggravating and mitigating factors in Mrs Reeve's case as follows:

Mitigating factors;

- there was no fitness to practice history in Mrs Reeve's case;
- the context of these events was one continuing episode of misconduct and dishonesty against an otherwise good and effective career as a senior social worker;
- there were testimonials which followed on from the period at Hounslow Borough Council which said that they were satisfied with Mrs Reeve's work. There was no reference to these proceedings in the testimonials, but they still had some residual value;
- Mrs Reeve deserves credit for engaging as she did although she had not participated in the continued part of the hearing.

Aggravating factors;

- This was a serious, continued and persisted-in episode of dishonesty which was related to Mrs Reeve's professional practice.
- The misconduct linked directly to what she was entrusted to do professionally.
- Mrs Reeve has shown no remorse, insight or remediation.
- Mrs Reeve had impugned the integrity of service user A's daughter and also Mrs Reeve's professional colleagues. This was not a simple matter of conflict of recollection.

125. The panel accepted that there was merit in considering that Mrs Reeve had not otherwise come to the adverse attention of her regulator or of any other employer. She appeared to have risen to a position of seniority. She had been a social worker who was entrusted to make decisions on mental competence in relation to elderly, confused and vulnerable service users. The panel was less convinced that Mrs Reeve's medical history was as influential in affecting her decision making and clarity of perception. Mrs Reeve had not supported her medical history with sufficient medical certification to say that it had affected her practice at the material time.
126. In the panel's view, the medical condition opened the issue of confusion. However, considering the evidence overall, the panel did not consider that it was decisive or significant. Mrs Reeve appeared to claim health-induced confusion on her part when it was appropriate for her interests. The panel considered there was a sense of selectivity in answering the more challenging questions. In that situation, confusion became more prominent in Mrs Reeve's responses. There were parts of Mrs Reeve evidence where she appeared to be entirely clear, other parts less so; but the panel were not persuaded that the difference could be attributed to a medically-induced confusion. On balance, in the panel's view, Mrs Reeve ill-health was not mitigation in the fullest sense.
127. There was merit in the view that the scope of events was confined to a single incident in an otherwise lengthy, good career. Against that, Mrs Reeve has not shown any remorse, remediation or insight. There is however no suggestion that she suffers deficiencies in her ability or competence. Mrs Reeve's professional and personal empathy was not in doubt, as evidenced by her response to the sad news regarding service user A which emerged spontaneously during evidence. Mrs Reeve's reaction appeared to be sincere and spoke to her ability to function generally as a good social worker.
128. The panel considered however that Mrs Reeve's culpability in regard to her dishonesty was not in the past. There were a series of concerning events which were linked to, but not confined to, the abortive meeting of 21 February 2019. The panel observed that at no time between 21 and 28 February 2019 had Mrs Reeve taken the opportunity to take stock of the situation and to approach her managers, explaining that she had to advise them of the truth of events. Not since then, and not even since her dismissal or since the panel's findings of facts were published has Mrs Reeve shown any inclination to accept the facts or to acknowledge the gravity of the impact of her conduct on others.
129. The panel considered that when one approached the issue of balancing Mrs Reeve's career in social work, one did not come to rest in the middle of the scale.

Rather, the accumulation of misconduct and dishonesty tipped the balance heavily towards the most serious view that can be taken of this matter.

130. Mrs Reeve had implicated others as being responsible for the events of which she was the author. In her evidence, Mrs Reeve though entitled to defend herself robustly, insisted that other witness could not simply be mistaken in their recollections or perceptions. She insisted that she was completely correct in all of the important respects. Others were falsely attributing to her facts which were invented and intended to damage her. In one version of Mrs Reeve's events, there had been a meeting which took place after 5 PM on 21 February 2019. Mrs Reeve distanced herself from that position in her oral evidence; a position that she now maintains in her most recent emails. However her first account of that non-existent meeting was an elaborate one.
131. Mrs Reeve was adamant in her cross-examination of service user A's daughter and in her own evidence that she (Mrs Reeve) had not attended the emergency meeting which took place on 26 October 2018 even though the contemporary minutes of the meeting recorded her presence. Mrs Reeve questioned the integrity of service user A's daughter and of her professional colleagues. In her responses by email referred to above, Mrs Reeve did not retreat from that, even though she had had the opportunity to consider in depth the panel's findings and to reflect.
132. The panel considered that Mrs Reeve's conduct of her defence had exacerbated a gross breach of professional trust. It was distressing for service user A's daughter to have been cross-examined in the particularly aggressive manner adopted by Mrs Reeve. This served to multiply Mrs Reeve's culpability in her dishonesty which she maintains in recent correspondence.
133. The panel found that there was no evidence of insight on Mrs Reeve's part. There was no recognition of her behaviour and instead she insisted on asserting that the contrary was true. She did so, not only against the weight of evidence presented by Ms Graham for Social Work England, but even in the face of being confronted by three mutually inconsistent versions of events put forward by her.
134. The panel consider carefully whether Mrs Reeve could respond to an opportunity for remediation. Honesty, probity, and trustworthiness is tied to the fundamental tenets of the social work profession in England. Notionally, it seemed clear that Mrs Reeve could do so, given her professional background and achievements. She appeared to be a long way from recognising that she had not been honest. Mrs Reeve had not accepted the panel's findings on facts, as being a decision based on a rational analysis of the evidence. Instead, Mrs Reeve suggested in her emails that the panel had allowed themselves to be deceived. She considered

that she was the victim of the inadequacy of others including her former colleagues at Hounslow Borough Council.

135. The panel considered each sanction in turn beginning with taking no action or giving advice in terms of paragraph 12(3)(a) and (b) of schedule 2 to the social Regulations.

No Action

136. The panel considered that in line with the guidance at paragraph 72, it is not appropriate to take no further action in this case given the seriousness of the misconduct. Dishonesty had been found. The panel's findings regarding impairment and the need to send a message to other social workers regarding professional standards made it inappropriate to take no further action. The need to maintain public trust and confidence in the profession would not be upheld were no action to be taken.

Advice or Warning

137. For the same reasons as given above, Advice is likewise not appropriate in the panel's view.
138. The panel had regard to paragraph 78 of the sanctions guidance in considering whether a Warning would be the appropriate level of sanction to impose. The sanctions guidance observes that the Warning would give a clear signal to the social worker, and other social workers and the public that the regulator disapproves of the social workers of misconduct and any repetition of it is highly likely to result in a more severe sanction. Given however the persistence of Mrs Reeve's dishonesty and the impact that it had on service user A's daughter a Warning would not be appropriate. Considering the aggravating and mitigating factors touched on above, the nature of Mrs Reeve's misconduct and the panel's findings, Mrs Reeve remains a risk to the public. In the circumstances a Warning would not serve to protect the public appropriately. Paragraph 76 of the guidance states that Warnings are not appropriate where the social worker is a risk to the public.

Conditions of Practice Order

139. The panel next considered imposing a conditions of practice order. The panel had regard to paragraph 84 of the guidance which states that conditions are 'less likely to be appropriate in cases of character, attitudinal or behavioural failings, or in cases raising wider public interest issues.' The panel considered that conditions of practice would not be workable as Mrs Reeve had not

demonstrated any remorse or insight and had not engaged in a meaningful way with this part of the regulatory process concerned with sanctions. The panel did not consider that public protection could be achieved by the imposition of conditions of practice.

140. The wider public interest was also prominently in view in this case. Informed members of the public would be genuinely concerned, in the panel's view, to find that Mrs Reeve had been allowed to return to practice subject to conditions. In the panel's view, given the attitudinal issues displayed by Mrs Reeve and the abuse of trust which had been evident, any conditions would require to be so stringent as to amount to being constantly supervised and cross-checked by a colleague. Such conditions would be wholly unworkable. In any event, the starting point for conditions of practice is the attitude taken by the social worker. Mrs Reeve did not begin to meet the minimum level of insight remorse and commitment to change that would make such a sanction appropriate and proportionate in the public interest.
141. Suspension Order
142. The panel next considered the sanction of a suspension order. The panel considered this very carefully taking into account the measured and careful submissions made by Mrs Graham on behalf of Social Work England. The panel had regard to paragraph 92 of the guidance, which states that 'suspension is appropriate where no workable conditions can be formulated that can protect the public or the wider public interest, but where the case falls short of requiring removal from the register...'.
143. In considering whether a suspension order was the appropriate and proportionate outcome, the panel took into account the positive testimonials produced by Mrs Reeve on her own behalf. The panel also held in mind that Mrs Reeve had evidently practiced to a satisfactory level in the past. In the right circumstances she could be regarded as a practitioner who might respond appropriately to a period of suspension.
144. The panel carefully balanced this material against the aggravating features in this case, which were considerable in the panel's view. The aggravating features include some serious attitudinal matters including Mrs Reeve's actions in positively supporting her misconduct and dishonesty by persisting in one of three alternative explanations which she employed as she thought appropriate.
145. The panel also took into account that in the period since being subject to an interim suspension by this panel (at the point that the hearing was adjourned), Mrs Reeve had not demonstrated any positive steps taken by her towards her

remediation. Mrs Reeve makes reference in her emails to responding a family crisis by travelling overseas. The period of suspension to date has been a short one. The panel balanced this against the aggravating features in this case and in the practical difficulty of how a social worker could remediate dishonesty. The panel accepted that sanction in regard to dishonesty has to be approached in the context of the facts proved. It is not in itself tantamount to mandating removal from the register.

146. The panel considered that in practical terms there had been no glimmer of insight on Mrs Reeve's part. That would suggest that Mrs Reeve was unlikely to respond positively to a period of suspension, directed towards protection of the public. The panel considered that it was possible but at best improbable that Mrs Reeve will advance to the point where she could again prioritise the interests of service users and the public over her own.
147. Mrs Reeve did not appear to appreciate that in this situation she was the voice of service user A. She did not appear to appreciate that in such a situation, everyone including her professional colleagues would look to her to have made a fully reasoned and supported decision regarding mental capacity. Others were likely to act on her opinions without question. Mrs Reeve had acted deliberately by not attending the meeting of 21 February 2019. This was a profoundly serious matter. Mrs Reeve had not given the panel any material to support the view that she could take advantage of a period of suspension purposefully.
148. The panel recognised that periods of suspension up to 12 months in duration of the three year maximum suspension period available, were directed towards cases of gravity but where public interest rather than public protection was the most prominent feature. In this case, public protection was very much the most prominent concern in the minds of the panel. In this case, Mrs Reeve has not done anything to reassure the panel or her regulator that she has accepted her failings, and that she is willing to remedy them. This is an important first step in demonstrating the capacity to respond to a suspension order. In the circumstances, the panel determined that a period of suspension was not an appropriate or proportionate means of protecting the public.

Removal Order

149. Having conducted a careful balancing exercise, the panel decided that a suspension order was not sufficient to protect the public or meet the needs of the wider public interest. The panel had regard to the seriousness of Mrs Reeve's departures from the standards demanded of every social worker. Further, the panel held in mind the need for a sanction to send a clear message to members

of the public and the profession that dishonesty, especially when persisted in, is entirely unacceptable.

150. The panel had regard to paragraph 97 of the guidance which states ‘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.’ As detailed above, Mrs Reeve has shown a high risk of repeating her dishonesty and her misconduct. If there was to be a repetition, vulnerable service users would be placed at risk of serious harm.
151. In the circumstances, and in light of the aggravating features and for the reasons given above, the panel concluded that a removal order is also required to maintain confidence in the profession and to maintain proper professional standards for social workers.

Interim order

152. Ms Graham on behalf of Social Work England made an application under schedule 2 paragraph 11(1)(b) of the Regulations for an interim order of suspension to cover the appeal period before the substantive order comes into effect; or if Mrs Reeve appeals, until such time as the appeal is withdrawn or disposed of. Ms Graham made the application on the grounds of public protection, which includes promoting public confidence in the profession and maintaining proper professional standards.
153. Having heard and accepted the advice of the legal adviser, the panel was satisfied that an interim order was necessary to protect the public for the same reasons set out in the substantive decision above, particularly having regard to the high risk of repetition identified and the consequent real risk of significant harm to service users. Given the panel's findings in relation to the nature of Mrs Reeve's misconduct and dishonesty and the risk of recurrence, serious damage would be caused the public confidence if no interim order were to be in place and standards would not be upheld. An interim order was therefore also required to promote and maintain public confidence in the profession and to maintain standards for the same reasons as set out in the substantive decision above.
154. The panel next considered what type of interim order to impose. For the same reasons as set out in the substantive decision above, the panel considered that there were no workable conditions, and that conditions would not be sufficient to protect the public and to address the wider public interest considerations.
155. In all circumstances, the panel decided to make an interim suspension order for a period of 18 months. In deciding on this length of interim order (which will expire

if no appeal is taken), it took account of the time that it might take for an appeal to be finally disposed of.

156. The panel took account of the principle of proportionality and acknowledge that this interim order will prevent Mrs Reeve from working as a social worker. However, the panel determined that the need to protect the public outweighed Mrs Reeve interests in this regard.
157. The panel considered the existing interim order made on Friday 26 February 2021, which had been made under to paragraph 8 of Schedule 2 of the Regulations. That interim order had been made prior to the resumption of the hearing and continues in effect. Since then, as set out above, the panel made findings of impairment and imposed a sanction of a removal order. Therefore the panel determined to revoke the prior interim order. In order to cover any period necessary to serve notice of the paragraph 11(1)(b) interim order of suspension following the final order, the panel determined to revoke the earlier (paragraph 8) interim order with effect from 28 May 2021.
158. That concludes this determination.

Right of Appeal

1. 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.
2. 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.
3. 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.
4. 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

5. 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.
6. 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.