

Social worker: Nancy Stembridge

Registration number: SW20999

Fitness to Practise

Final Hearing

Dates of hearing: 13 March to 30 March 2023

Hearing venue: Remote hearing

Hearing Outcome: Fitness to practise impaired, removal order.

Interim order: Interim suspension order (18 months)

Introduction and attendees:

1. This is a hearing held under Part 5 of The Social Workers Regulations 2018 (as amended) (“the regulations”).
2. Ms Stembridge attended and stated that she wished to provide submissions for the purpose of her postponement application only. She stated she did not wish to attend the substantive hearing if this was to go ahead. Ms Stembridge was not represented.
3. Social Work England was represented by Ms Bass case presenter from Capsticks LLP (and from day 3 of the hearing, Ms Bucklow of Counsel).

Adjudicators	Role
Alexander Coleman	Chair
Belinda Henson	Social worker adjudicator
Richard Weydert-Jacquard	Lay adjudicator

Khadija Rafiq	Hearings officer
Gabriella Berettoni	Hearings support officer
Charlotte Mitchell-Dunn	Legal adviser

Allegations

The Regulatory Concerns arising from the allegations referred by Social Work England’s Case Examiners on 24 March 2021 are:

1. *Whilst registered as a Social Worker you:*

At around 10:30hrs on 7 March 2019 attended the premises of Sussex Partnership NHS Foundation Trust, and;

- 1.1. *Entered part of the premises;*
- 1.2. *Entered part of the premises you were not authorised to enter.*
- 1.3. *Used inappropriate and/or aggressive behaviour towards Person A.*
- 1.4. *Used offensive language set out in Schedule A at Person A.*

2. *At an unknown time on 7 March 2019, you returned to the premises, Sussex Partnership NHS Foundation Trust and had to be escorted away from the premises by the Police.*

3. *Used inappropriate and aggressive behaviour towards staff at Hill Rise, Sussex Partnership NHS Foundation Trust, in that:*

- 3.1. *On 8 July 2020 you were abusive and aggressive in a telephone call with Person G, causing her to terminate the call.*
- 3.2. *On or around 8 July 2020 you left a voicemail in which you called Person H the name set out in Schedule B.*

3.3. *On or around 8 July 2020 you left a voicemail in which you made threats to kill members of staff at Sussex Partnership NHS Foundation Trust.*

4. *During the course of a regulatory investigation, you used inappropriate and aggressive behaviour towards employees of Social Work England, in that:*

4.1 *During a call with Person E on 30 January 2020, you shouted at Person E and called her the name set out in Schedule C.*

4.2 *During a call with Person F on 30 January 2020, you shouted at Person F and called her the name set out at Schedule D.*

4.3 *On 23 March 2021 you sent abusive emails to Person D as set out in Schedule E.*

5. (PRIVATE)

Schedules

SCHEDULE A

1. *"Where's that fucking cunt Sue Esser?"*
2. *"fucking cunt"*
3. *"nasty little slut"*
4. *"You horrible, unprofessional piece of shit"*

SCHEDULE B

1. *"Tosser"*

SCHEDULE C

1. *"Fucking bimbo"*

SCHEDULE D

1. *"Spiteful fucking cunt"*

SCHEDULE E

1. 23 March 2021, 18:03hrs
'Fuck off using the word suspension, bullies. You threatening pieces of violent shot (sic). Suspend yourselves. What sort of sick gratification do you get out of causing distress?'
2. 23 March 2021, 18:06hrs

'seriously duck(sic) off with your deliberately wakerush (sic) wording and construction. You are sick in the head and have no idea about Social Work. If you co tinted to behave like cunts, you will have a dead ex social worker to explain. Its game playing, one upmanship and a pathetic refusal to examine your methods and accept criticism. Just leave me alone today you vile people trying to goad and harass me into a bad vaccination. Poison me, and the world is poisoned even more than it already is.

3. 23 March 2021, 18:11hrs

'The order that you write things is indicative of a vile, poisonous, wankerish network of collusive wankers who can seriously go and swivel.'

(PRIVATE)

5.1 **(PRIVATE)**

5.2 **(PRIVATE)**

5.3 **(PRIVATE)**

6. the actions outlined in paragraphs 1 -4 amount to the statutory ground of misconduct.

7. **(PRIVATE)**

8. By reason of your misconduct and adverse health your fitness to practise is impaired.

Factual Background

4. Ms Stembridge was referred to the Health and Care Professions Council ("HCPC") by her former employer Sussex Partnership NHS Foundation Trust (the Trust). Ms Stembridge had been dismissed from the Trust in 2016 and had been engaged in an employment tribunal and subsequent appeal which concluded in March 2019. Ms Stembridge is alleged to have been banned from attending the Trust property in July 2018.
5. It is alleged that at around 10:30hrs on 7 March 2019 Ms Stembridge attended an office of the Trust in Hove with her dog. Ms Stembridge is alleged to have entered the building and into the HR Business Partner's office, where Person A was working. The office had formally been the office of the Human Resources Director, Ms Sue Esser. It is alleged the Ms Stembridge approached Person A and shouted, *'where's that fucking cunt Sue Esser'*. Ms Stembridge is alleged to have repeatedly shouted at Person A *'fucking cunt'* and *'nasty little slut'*.
6. Another member of Trust staff, Jo Russell ("JR"), allegedly overheard Ms Stembridge shouting and went into the office, Person A is alleged to have told her that Ms Stembridge was banned from the office and the Police needed to be called.

7. JR is said to have asked Ms Stembridge to leave. Person A allegedly left the room but was followed out by Ms Stembridge. Person A allegedly went to the main reception area, requesting for somebody to phone the Police. At this stage Ms Stembridge is alleged to have left the building.
8. It is alleged that Ms Stembridge came back to the office a second time on 7 March 2019, but on this occasion, Ms Stembridge was unable to get past the reception area as the security door had been locked. Ms Stembridge is alleged to have remained in the reception area shouting and demanded to speak to somebody. The Police were called to attend, and Ms Stembridge was restrained and removed from the building by the Police.
9. **(PRIVATE)**
10. **(PRIVATE)**
11. **(PRIVATE)**
12. **(PRIVATE)**
13. **(PRIVATE)**
14. **(PRIVATE)**
15. It is further alleged, that during the regulatory investigation, Ms Stembridge has used inappropriate and offensive language to employees of Social Work England who have corresponded with her for the purposes of the regulatory investigation.

Preliminary matters:

16. At the outset of the hearing, the panel determined that parts of the hearing should be held in private. The panel noted that the following matters should be marked private **(PRIVATE)** in this decision and on any transcript:
 - i) **(PRIVATE)**
 - ii) **(PRIVATE)**
17. The panel accepted the advice of the legal adviser. It was aware that although generally hearings must be held in public:
 - a. Rule 38 (a) (ii) provides that a hearing or part of the hearing must be held in private when the proceedings are considering the 'physical or mental health of the registered social worker'.
 - b. Rule 38 (b) allows a panel to hold part or all of the proceedings in private if it considers 'that to do so would be appropriate having regard to (i) the vulnerability, interests or welfare of any participant in the proceedings; or (ii) the public interest including the effective pursuit of the regulators overarching objective.'
18. **(PRIVATE)**

19. The panel therefore determined that the above parts of the hearing should be heard in private.

Postponement application

Background

20. On the 27 February 2023, Ms Stembridge wrote to Social Work England requesting a postponement, within this application she stated as follows:

“ Request to postpone date of full Hearing, in March 2023

*I am writing to request that the Hearing arranged for 13th -30th March be postponed. I hope my request will be given attention and agreed. **(PRIVATE)** I was informed that there is no deadline date to ask for a postponement.*

My request for a postponement is not in order to seek longer time to prepare for a Full Hearing, as my decision for some time has been that I would like to leave the Social Work Register voluntarily and will be completing my application to leave the register when possible (March-April '23).

*I have informed my contacts at S.W.E that this is my intention. **(PRIVATE)***

Application for Postponement of Hearing (FTP)

- *The reasons why the original hearing date is not practical (or no longer required). **(PRIVATE)***

My circumstances were, that I was not in practice or even in employment when the FTP case was forwarded, and having previously completed a legal process with the employer - which I had raised and progressed - if I were to attend a hearing, I would try to ensure that I had legal representation with me. This is so, that I could fully present and contextualise my rights in light of my not being in practice when the FTP was raised by SPFT and forwarded.

However, I do not have any wish to attend a Hearing, as I don't wish to maintain registration as a social worker. The reason being, that any positive outcome (my maintaining my registration status), is not really what I want, as my interest in working in the area has waned (as I have been doing other things in the last few years) and is now not really remaining to any substantial degree. I wasn't working in Social Work before this was forwarded, I was a Team Leader, and I also do not really wish to return to any sort of role that requires social work registration; my interests vocationally have moved on.

***(PRIVATE)** I did not join the Social Work Union in time to be able to access their representation so have been dealing with this process with S.W.E on my own.*

*If the Full Hearing is not postponed, I will be disadvantaged, **(PRIVATE)** However, my wish is not to have a Hearing at all, as I do not want to remain working as a Social Worker and would like to leave the register voluntarily. As explained above, I am*

more interested now in other areas, mainly as a writer, and I have experience of studying this subject, practically (Journalism training) and creatively (Creative Writing courses), both in the past and more recently. It was my chosen vocation at school, when leaving school, and when at college in my teens.

Regarding my specific request in relation to specific dates in March – I have no representation yet, it is too soon to accumulate responses, **(PRIVATE)** Legal representation preferred as I was not in practice when the FTP was forwarded so I was not a member of BASW or the Social Work Union; this is something that SPFT were aware of. Therefore, my protection as a registered Social Worker was far lessened due to this. **(PRIVATE)**

I have had other interests professionally during my career in Social Work, despite my Dp.S.W. qualification, and have never been fully committed to building a career in social work as a practitioner; as I learned leadership immediately after qualifying as a social worker, and become interested in other areas of study as I worked in roles. Re. length of time since concerns were raised – **(PRIVATE)** I did not then engage with the process, as my specific request to the Case Manager to be informed of any meetings or Hearings specifically and directly, was not actioned effectively.

- Explanation of when these reasons became apparent, and why a postponement is required to address and resolve these issues. I have a meeting booked with Sussex Partnership on 28th March 2023, and this is the first formal meeting I will have had with anyone from the organisation since 2016. I requested this meeting, and it is concerning a complaint I have made to the Trust about their input in 2021. It seems out of sync and also negative to hold a Full Hearing before this meeting as held, as it will provide current and up-to-date witnesses, people at SPFT, who can comment on how I conduct the meeting, including my attempts at resolution, and my communication skills and negotiation skills, within a professional setting of a meeting.

In the guidance on the S.W.E I have read there is a section regarding 'possibility of resolution'. My request for meeting with SPFT is not specifically regarding this, however I may speak to the people present about my wish to leave the social work register voluntarily, and could request that they liaise with someone else at SPFT or S.W.E about this, regarding they or someone else supplying a supporting statement for my application to leave the register. They will hear my reasons for, and my long-standing vocational interest in writing.

So, in light of 'resolution' of my situation - postponing the Hearing date until after I had met with SPFT at the end of March - may well help in terms of resolution. I have never worked as a permanent Social Worker and have no plans to do so now or in the future. I have had a different career path to many people with the social work qualification, since qualifying through the Diploma in Social Work in 1998. It is not that I do not have great regard and respect for Social Work as a career; I do, and one of my parents was a Psychiatric Social Worker when I was growing up. I just did not

originally intend to be a social worker and even after qualification have studied in different areas of interest, including Writing, which was my original career choice.

I also do not enjoy the online Hearings I have taken part in with SWE, the Interim Order Reviews and do not think that I represent myself as well as I could do in this medium. I also do not have the practical resources to attend a Review in person, unless it was arranged in my hometown, which I am aware is not currently an option for people in terms of these hearings. But definitely, the main reason I will not be attending the Hearing, is that I have no wish to main registered or to work in Social Work and would like to apply for voluntary removal from the register.

Regarding my path into social work, along with the majority of people on the two-year Diploma in Social Work course with me at the time, I was seconded to take the qualification by my local authority - and part of that agreement was that they would place us back into full time job roles of their choice - of which we had to stay within for at least two years. Myself and a colleague, also in her twenties, were both seconded from the same department in the council – a Social Services provider services department that was short of qualified managers.

The Head of Service at the time, who did possess a Social Work qualification, decided to place us into management posts after we had completed the qualification, managing local authority Day Centres.

None of our other colleague managers at our level as front-line managers, held a social work qualification (some had management qualifications), and it was seen as a definite benefit for the sector that there were now two people leading the Day Services, who were qualified in Social Work. The thought was that our learning and experience during the training would naturally be cascaded down to other staff members, and our colleague managers, and benefit the service-users, through person-centred leadership. That is how it was explained to me when I began in the job role after completing my qualification more than twenty years ago.

*I have worked consistently since this time in 1998, within the field of Health and Social Care, but not in Social Work. I was a manager of services for Adults with Learning Disabilities for eight and a half years, in three roles, which included promotion from the first to the second job. The third role was in the Private care sector, and it was after I decided to give my notice in and leave from this job role in late 2007, **(PRIVATE)** I then began working in Mental Health Services for the NHS as a locum in early 2018. I had completed a practitioner locum role previously for SPFT before the private sector job described and had enjoyed it to some extent, but missed the variety of work and opportunities to make changes that are usually an aspect of leadership roles.*

I hope it will give explanation as to why it is not a difficult decision for me to change careers away from social work; as I have not often felt like a Social Worker, in the respect of field Social Work in a Social Work hierarchy or organisation – as my practitioner work has mainly been as a generic practitioner in Mental Health

Services. My experience of being a Social Services Social Worker, was purely as a student social worker, in 1996-1998, when I spent a year on part-time placement in a Social Services Children & Families Team, where I was supervised by a Social Services Senior Social Worker who was also my Practice Teacher, and a year in a part-time placement in an NHS Adult Mental Health Team, where I was supervised by an Approved Social Worker who was employed by Social Services and the NHS, who was also my Practice Teacher.

Aside from those experiences, over twenty-five years ago, my only experience of being supervised by a Social Work Senior colleague was for three months in 2008, when I worked temporarily as a locum as a Duty Social Worker in the ALD Team in Hove. I left this role after three months, as I wanted to return to a Mental Health Team. I had previously worked in leadership roles in the ALD sector, although I liked the team and individuals, I did not really enjoy a non-leadership role in the same sector as it felt like stepping backwards and I felt restricted.

But in the different sector of Mental Health, it did not feel so much like this as it was a new area of learning and very interesting. But the circumstances in terms of supervision and line-management were different, and mainly carried out by Nursing or Occupational Therapy Team Leaders. In all my other jobs between 2008-2016 (aside from one temp. locum role in London in 2009/10), I have been supervised by SPFT Team Leaders or Service Managers who do not have a social work background or qualification. Therefore, I have not received any Social Work supervision and have never discussed my continual professional development, in terms of Social Work. My continual professional development has been focused upon gaining more clinical experience in Mental Health, and leadership, which I had more experience of post-qualification than Social Work, as explained above. I give this information to explain why it is not a difficult decision for me to diversify and leave the area of social work, and also why it has not come naturally to me to analyse the Social Work Professional standards in relation to my job roles, which I am able to do, but it has been more time-consuming attempting this for the reason I have outlined. However, I have forwarded to S.W.E a reference written by an objective and neutral person viewing those standards and giving comment as to how I meet them and exemplify them.

Doing this also confirmed to me that I no longer wished to work within the area, as I was not interested enough in thinking about and evidencing the complex information requested— no disrespect intended; this is perhaps as I have not done this properly since my original social work qualification course, and have studied in other areas which have been very different models and style of learning, which are more suited to my personality and style.

- *The length of the requested postponement*

*At least three months, to enable me to **(PRIVATE)** establish myself in a new career and/or study programme, and to apply for voluntary removal from the register which*

I hope will have been processed and agreed during the time mentioned, so that another Hearing is not arranged.

- *Explanation of why the applicant expects the time requested will allow them to resolve the issues which resulted in the application.*

*Please see above re. meeting with Sussex Partnership Trust. A postponement would also allow me to sort a few things out, including an alternative career, which is something I have felt inhibited about doing **(PRIVATE)** I have explained why I want an alternative career, and this feels natural to me at this point in my life. **(PRIVATE)** My decision to wish to leave the field of social work, is not due to having a definite aversion to the work, it is just that my interest and commitment has lessened due to not being in practice or in a related job, whilst my interest and commitment in other areas I have been involved in since 2016, have increased and strengthened qualification. I hope that meeting with a people from the Trust will move this situation forward positively.*

Due to the length of time since I have not now worked in the field and in a paid capacity, I do not feel very confident in attending or appearing at a Full hearing, particularly without representation that I would want - which is not free - particularly if I am opposite individuals who have been working in their roles all this time. There is nothing equal about that situation, of my appearing without representation. In light of this, and the dual decision I have made which is that I do not wish to work in Social Work, I request the postponement.

- *What actions the applicant proposes to take during the period of postponement to prepare their case. This should also include explanation of why these actions could not have been completed earlier. I will be applying to leave the register. The time of postponement will allow me to gather evidence to support my application and to ensure that my application is forwarded as soon as possible, and hopefully agreed successfully so that I can move on.*

- *Dates that the applicant is available to attend a hearing in the future (if they wish to do so).*

I do not wish to attend or take part in a hearing in the future.

- *Any other documentary evidence which supports the application for postponement.*

(PRIVATE)

(PRIVATE)

Submissions

Ms Stembridge

21. Ms Stembridge attended the hearing via the telephone and provided oral submission to the panel on her postponement application. A summary of her submissions is as follows:

- i. Ms Stembridge stated she had a practical issue in respect of attendance at the hearing, as she does not have an internet connection at home and has not had one for some time. **(PRIVATE)** She stated she could not attend an online hearing, as she had no-where locally that was private. She also stated she had previously had issues with her emails on her phone, as the mailbox was not working correctly.
- ii. She submitted she had not been offered any alternative for attending, having requested that the hearing be held closer to her hometown. She stated attending a 14-day hearing in Sheffield would be “impossible”, **(PRIVATE)** She stated she was told the hearing would be online or in Sheffield and she stated, “this was impossible for her”.
- iii. She submitted her previous preference was to leave the register via voluntary removal. However, she was not aware until today that in leaving the register she would need to agree the allegations or that a voluntary removal decision would be published on the Social Work England website. She stated she did not accept the allegations and did not wish for anything to be published on Social Work England’s website.
- iv. Ms Stembridge noted that she had a meeting with the Trust in March, and she felt that Social Work England viewed this meeting as her way of “swaying the process” however she stated that was not the case, and the meeting was to be held at “a location of her choice” and the subject was not about Social Work England.
- v. Ms Stembridge submitted she was not aware of the number of witnesses in this case, having not read the papers. She stated she understands that it will be submitted that “it will be hard to reschedule nine witnesses” and she stated she believed this was the reason that so many witnesses were being called by Social Work England.
- vi. **(PRIVATE)**
- vii. **(PRIVATE)**
- viii. **(PRIVATE)**
- ix. **(PRIVATE)**
- x. **(PRIVATE)**
- xi. Ms Stembridge stated she wished to “say her part and leave the process” and that the postponement should be granted. **(PRIVATE)**
- xii. **(PRIVATE)**
- xiii. **(PRIVATE)**
- xiv. Ms Stembridge stated she would not want an “internet trail” in respect of these proceedings. She stated having learned more about voluntary removal she thought this may leave a “black mark”.

- xv. She submitted that she does not have a supporter with her, and she would like a postponement in order to take time to collect evidence and references. She stated she thought a postponement would be agreed and she was not prepared for a hearing.

22. At the close of Ms Stembridge's oral submissions the panel explained that Ms Stembridge could provide further submissions in writing should she wish to do so. Ms Stembridge provided an email with further submission at 08.47 on 14 March 2023, which stated as follows:

"It was requested that if possible I summarise some additional point I made yesterday and to forward:

1) I have no internet connection for my laptop computer at home currently.

2) I was not aware of all of the information surrounding a request to leave the register voluntarily, until yesterday morning. I would like more time to consider this information.

3) Clarified that my meeting booked with SPFT later in March is not at a Trust base, but at a location of my request and suggestion and their agreement. The meeting will be held in the cafe at my local Parish church where I attend.

4) I was not aware that there were 9 witnesses due to appear as I have not opened or read any paperwork concerning, and I do not know the identity of any of the witnesses. I have received delivery notes at home, and visited the Post Office Depot and requested Return to Sender when advised of the sender. I did not open any of the packages before they were returned. I have explained the reason for this.

5). I have new interests areas of potential employment and/or study I would like to continue to continue with, and a postponement would allow me to be earning money again. This would put me in a stronger position at a hearing to participate more fairly than currently as that improved sense of self-confidence.

6) legal advisors this morning suggested requesting a longer timescale - I am happy for a 4 month, or 5 month postponement. (PRIVATE)

7) I view any content from SPFT as Employee Relations matters which have not been resolved properly. My request for postponement is also then for me to try to look into my legal rights about voluntary removal option or attending a hearing in light of this.

8). (PRIVATE)

9) (PRIVATE)

23. Following Ms Stembridge's submissions it was clarified that the Legal Adviser had not advised Ms Stembridge to request a longer timescale for postponement. Further Ms Stembridge was reminded that she had previously been advised that the Voluntary Removal Guidance states that an admission to fitness to practise concerns is not required for Social Work England to agree to voluntary removal, however the response will be relevant when they are considering whether there is a public interest in the fitness to practise proceeding continuing.
24. Ms Stembridge was also reminded of the Publication Policy in respect of voluntary removal, which states "If voluntary removal has been agreed, we will amend the social worker's public extract of the register to display a status of 'no longer registered – voluntarily removed'. This status will be recorded indefinitely. We (Social Work England) may publish more information about the decision to remove if it is appropriate to do so, but this will not include information regarding the social worker's health. The question of whether to publish further particulars and what particulars will be published will be considered on a case-by-case basis and will balance the rights of the social worker with Social Work England's overarching objective of public protection".

Social Work England

25. Ms Bass on behalf of Social Work England submitted that Ms Stembridge had within her postponement application advised that she had no intention of attending a hearing and would be applying for voluntary removal. She submitted that in correspondences of January 2023, Ms Stembridge was clear that she was disengaging with the process and applying for voluntary removal. Further, Ms Bass stated that on 7 February 2023 Ms Stembridge had informed Social Work England that she would be applying for voluntary removal and would not attend the final hearing under any circumstances.
26. Ms Bass summarised the various reasons set out by Ms Stembridge for requesting a postponement.
27. In respect of voluntary removal, Ms Bass accepted this had only been an option since 16 December 2023, when Social Work England's rules changed. Ms Bass submitted however that to date Ms Stembridge had not submitted a voluntary removal application.
28. **(PRIVATE)**
29. Ms Bass submitted that the first time that Ms Stembridge had raised the issue that she might attend the substantive hearing of this matter at a future date was during her oral submissions on postponement. **(PRIVATE)** She suggested the Ms Stembridge's submissions were based on that fact that she might be able to engage on future date.
30. Ms Bass asked the panel to consider what may change between now and a potential new hearing date. She specified that that Ms Stembridge's meeting with the Trust may go ahead, but it was not clear what the purpose of this was, and in any event it would not resolve the present fitness to practice matter.

31. Ms Bass submitted that the mode of this hearing had been considered at length at a previous case management hearing, which Ms Stembridge had been invited to, but had not attended. She confirmed that given the nature of the allegations a virtual hearing was considered the best option in all the circumstances.
32. Ms Bass noted that Ms Stembridge had not opened any correspondence sent by Social Work England and had returned the envelopes sent to her in the post. She asserted that Ms Stembridge should not be entitled to frustrate the hearings process, by returning the documentation, which her regulator is legally obliged to send to her and is necessary for a final hearing.
33. **(PRIVATE)**
34. Ms Bass submitted postponing the hearing would not serve a useful purpose.
35. In respect of voluntary removal, Ms Bass submitted that Social Work England would not usually consider this within 21 days of the final hearing because the hearing process has begun, and it may unnecessarily delay the fitness to practise process by considering the application at this stage. She stated at that stage, Social Work England would consider the voluntary removal application when the hearing has concluded.
36. Ms Bass indicated that Ms Stembridge had not read the voluntary removal guidance or the publications guidance and had indicated that she did not wish to make admissions and did not want the outcome of matters to be published. She submitted there were disputes around the factual basis of the concerns, and this would weigh against voluntary removal as it may mean a decision was required in the public's interest.
37. Ms Bass read out the guidance in respect of publication for voluntary removal decisions and explained such decisions were made on a case-by-case basis.
38. Ms Bass submitted that there had been a significant length of time since the concerns were raised and a referral was made to the HCPC. She noted that Special Counsel had been booked for 10 days to attend the hearing for the purpose of cross examination and it was in the public interest to proceed with the hearing.
39. Ms Bass submitted postponing the hearing would be detrimental and would continue matters longer than necessary. She submitted that there was no evidence before the panel that postponing matters would result in any progress. **(PRIVATE)**
40. Ms Bass stated that Social Work England relied on nine witnesses, and a postponement of matters would have a substantial impact on those witnesses. Ms Bass submitted that some of the witnesses were vulnerable and under stress and further delays would add to that stress. Ms Bass stated there was a risk of losing witness evidence due to the delay.
41. Ms Bass referred to there being a high risk of disengagement from the witnesses if the matter does not go ahead, due to the likely significant delay in relisting matters. She further referred to the expense of such a delay.
42. **(PRIVATE)**

43. Ms Bass advanced that steps have been taken to allow the hearing to go ahead fairly. She further submitted Ms Stembridge could make a voluntary removal application at the conclusion of the hearing.

Response

44. Ms Stembridge responded to Ms Bass's submissions. She repeated the fact that she had not read the documentation in this case and **(PRIVATE)** In respect of her lack of internet she stated she was able to prove this if required. She submitted she felt she had been coerced into attending for the postponement application, and if she was to attend a hearing, she would want the representation of a solicitor. She submitted she does not know who the witnesses are in this case and was never aware that they were categorised as vulnerable. As regards to voluntary removal Ms Stembridge indicated that she did not know that such a removal may be published. She highlighted that she would not allow any removal to be published.
45. **(PRIVATE)**
46. Ms Bass explained Ms Stembridge was informed she would be sent a case management questionnaire and could raise her concerns in this. Ms Stembridge was also informed that there were solicitors who dealt with regulatory proceedings, that she could contact the citizens advice bureau. **(PRIVATE)**
47. Prior to making its decision the panel received a number of emails from Ms Stembridge which the panel took into consideration. **(PRIVATE)** The panel took account of all of these emails.

Panel's decision:

48. The panel took into consideration all of the material provided to it, **(PRIVATE)**

16.1 **(PRIVATE)**

16.5... **(PRIVATE)**

16.6 **(PRIVATE)**

16.7 **(PRIVATE)**

16.8... **(PRIVATE)**

17.1 **(PRIVATE)**

17.2 **(PRIVATE)**

18.1 **(PRIVATE)**

19.1 **(PRIVATE)**

49. The panel noted that Ms Stembridge has previously (and during parts of her submissions) expressed a desire for voluntary removal. Further, Ms Stembridge has repeated on a number of occasions that she does not wish to attend a hearing. The panel therefore considered that postponing the hearing may not result in Ms Stembridge's future attendance or participation.
50. In respect of voluntary removal, the panel noted that this matter is listed for a substantive hearing. Ms Stembridge has indicated that she does not accept the factual allegations. The panel noted the guidance in respect of voluntary removal, that a Social Worker's response to allegations will be relevant when Social Work England consider whether there is a public interest in fitness to practise proceedings continuing. Further, the panel note that Ms Stembridge has the option of applying for voluntary removal at the conclusion of a hearing.
51. The panel observed that Ms Stembridge has to date taken no active steps to apply for voluntary removal. As such the panel concluded in all the circumstances that it would not be appropriate to postpone the hearing on the basis of Ms Stembridge's request that a postponement would allow her to apply for voluntary removal.
52. **(PRIVATE)**
53. **(PRIVATE)**
54. **(PRIVATE)**
55. **(PRIVATE)**
56. Should Ms Stembridge wish to attend the hearing, the panel would be able to accommodate any pre-arranged meetings **(PRIVATE)** within reason. The panel determined this modification of the hearing process would enable Ms Stembridge to effectively participate.
57. The panel has not been provided with any evidence to suggest Ms Stembridge has at any stage engaged with any legal representation services or taken any steps to seek support from pro-bono services. The panel therefore concluded that it would be unrealistic to expect that Ms Stembridge would have resolved matters and be in the position to secure representation within the postponement period that Ms Stembridge has requested.
58. The panel considered that Social Work England provided Ms Stembridge with information about the legal services that she may wish to explore in August 2022. The panel noted, given the length of time that has passed since that date, that Ms Stembridge has been afforded a sufficient opportunity to explore the use of such services, and obtain legal assistance. **(PRIVATE)** the panel considered that postponing the hearing was unlikely to result in Ms Stembridge securing legal representation.
59. In respect of Ms Stembridge's access to the hearing. The panel note that Ms Stembridge has submitted that she has no internet access at home and is therefore unable to participate in a hearing. **(PRIVATE)**
60. In line with the reasons set out above, the panel concluded that it would be unrealistic to expect that Ms Stembridge would have resolve her internet connection issues and would be in the position to access the hearing following a period of postponement.

61. The panel noted that Ms Stembridge has been able to participate in making her submissions on postponement via the telephone and has been able to send various emails following her submission.
62. It is evident from Ms Stembridge's submissions that Ms Stembridge has some access to internet via her mobile phone, as she referred to her ability to access emails on it.
63. The panel note that it has not been provided with any evidence to support the fact that Ms Stembridge has sought to take any steps to resolve her internet access issues **(PRIVATE)** to set up a home internet connection. For the reason already advanced, the panel therefore considered that postponing the hearing is unlikely to result in Ms Stembridge securing internet access at a future date.
64. The panel noted that the previous case management decision determined that this hearing should be held remotely due to the vulnerability of certain witnesses. Ms Stembridge has indicated that she would not be able to attend a hearing in Sheffield at the hearing centre, **(PRIVATE)**.
65. The panel considered that a remote hearing was an appropriate method of holding the hearing. The panel went on to considered whether Ms Stembridge would be able to effectively participate in a remote hearing, in order for a fair hearing to take place. In making its determination the panel was mindful of Ms Stembridge's rights to a fair hearing under Article 6 of the European Convention on Human Rights.
66. The panel determined that procedure for remotely accessing the hearing was as fair and just as an in-person hearing. In the present case, Ms Stembridge has access via the telephone and while she is unable to see parties on screen, the panel concluded she was able to participate effectively. The panel noted that Special Counsel had been appointed in this case and noted that Ms Stembridge would not be cross examining any of Social Work England's witnesses.
67. In considering this, the panel determined that the potential disadvantage of being on the telephone and being unable to see a witness was significantly lessened, on the basis that Ms Stembridge would not be directly questioning any witnesses. In all the circumstances the panel considered that Ms Stembridge would be able to effectively participate in a remote hearing via the telephone.
68. The panel went on to consider Ms Stembridge's submission that she had not read any of the documentation in respect of the hearing. **(PRIVATE)**
69. The panel noted that alongside not opening the documentation in this case, Ms Stembridge has returned the documentation via post. The panel accept the submissions of Ms Bass that Ms Stembridge should not be entitled to frustrate the hearings process, by returning the documentation, which her regulator is legally obliged to send to her and is necessary for a final hearing.
70. **(PRIVATE)**
71. **(PRIVATE)**

72. The panel note that there is no evidence before it that Ms Stembridge has sought any support in seeking to access or reading the documentation that has been sent to her by Social Work England.
73. **(PRIVATE)**
74. **(PRIVATE)**
75. **(PRIVATE)**
76. **(PRIVATE)**
77. **(PRIVATE)**
78. **(PRIVATE)**
79. **(PRIVATE)** The panel noted that she was able to request a telephone meeting provided she set a specific agenda and time.
80. **(PRIVATE)** Social Work England also explained via telephone the case management meeting process and types of concerns that Ms Stembridge would be able to raise at such a hearing. The panel note that Ms Stembridge did not attend the case management hearing, which would have provided her an opportunity to ask for directions **(PRIVATE)**.
81. **(PRIVATE)**
82. Considering all of the above the panel determined that the hearing should not be postponed because Ms Stembridge states she has not read the documentation. **(PRIVATE)** The panel considered that Ms Stembridge had read some of the documentation having noted a number of her emails to Social Work England. The panel concluded Ms Stembridge would be able to effectively participate in a hearing despite asserting that she had not read the documentation. The panel determined this on the basis that Special Counsel was appointed to cross examine the witnesses in the case. The panel determined that if Ms Stembridge attends the hearing Special Counsel could as part of their role summarise the content of the witness's evidence and evidence in the bundle, when taking Ms Stembridge's instructions for the purpose of cross examination. Further, the panel consider that if Ms Stembridge chooses to attend the hearing, she can ask that matters which she has not read are clarified and or read out to her.
83. In respect of Ms Stembridge's submission that she has a meeting booked with Sussex Partnership on 28th March 2023, the panel considered that such a meeting is not relevant to the present proceedings. The panel therefore determined that the scheduling of this meeting was not a valid reason for postponing the hearing.
84. The panel noted Ms Stembridge's submission that she requires a postponement in order to take time to collect evidence and references. **(PRIVATE)** Furthermore, the panel noted Ms Stembridge's assertion that she had no supporter present with her. The panel considered that Ms Stembridge has the opportunity of bring a supporter with her to the hearing, if she wishes to do so.

85. The panel considered the length of time that has passed since the allegations arose. The panel concluded that Ms Stembridge has been afforded a sufficient opportunity to collect evidence and references. In all the circumstances the panel concluded that this was not a sufficient reason to postpone hearing.
86. In determining that the hearing should not be postponed, the panel balanced the fairness to Ms Stembridge, with the fairness to Social Work England. The panel considered the public interest and determined in all the circumstances that it would not be fair to postpone the hearing.
87. The panel noted that Social Work England rely upon nine witnesses and some of these witnesses are categorised as vulnerable. The panel considered that postponing the hearing would have a significantly detrimental effect on the witnesses.
88. Further, the panel noted the length of time that has passed since the allegations arose and determined that a postponement would have a detrimental impact on the witnesses' recollections of events and may result in witness disengagement.
89. The panel noted given the complexity of the case, the delay in rescheduling a hearing is very likely to be lengthy. The panel determined that such a delay would impact negatively on both Ms Stembridge and Social Work England.
90. For all of those reason the panel determined that the hearing should not be postponed.

Service of notice:

91. Ms Stembridge attended via telephone to hear the announcement of the postponement decision. On the panel announcing that it had decided not to postpone the hearing Ms Stembridge terminated the call and sent numerous email communications in which she made clear she would not be attending the final hearing.
92. The panel of adjudicators (hereafter "the panel") was informed by Ms Bucklow that notice of this hearing was sent to Ms Stembridge by special delivery and email to an address provided by Ms Stembridge (namely her registered address as it appears on the Social Work England register). Ms Bucklow submitted that the notice of this hearing had been duly served.
93. The panel had careful regard to the documents contained in the final hearing service bundle as follows:
 - A copy of the notice of the final hearing dated 3 February 2023 and addressed to Ms Stembridge at her addresses, which she provided to Social Work England;
 - An extract from the Social Work England Register as at 3 February 2023 detailing Ms Stembridge's registered address;
 - A copy of a signed statement of service, on behalf of Social Work England, confirming that on 3 February 2023 the writer sent by special delivery and email to Ms Stembridge at the addresses referred to above: notice of hearing and related documents;
94. The panel accepted the advice of the legal adviser in relation to service of notice.

95. Having had regard to Rule 14, 15 and 44-46 and all the information before it in relation to the service of notice, the panel was satisfied that notice of this hearing had been served on Ms Stembridge in accordance with the Rules.

Proceeding in the absence of the social worker:

96. The panel heard the submissions of Ms Bucklow on behalf of Social Work England. Ms Bucklow submitted that notice of this hearing had been duly served, she submitted the postponement application had not been successful and Ms Stembridge had on numerous occasions indicated that she did not wish to attend the final hearing. She therefore invited the panel to proceed in the interests of justice and the expeditious disposal of this hearing.
97. The panel accepted the advice of the legal adviser in relation to the factors it should take into account when considering this application. This included reference to Rule 43 of the Rules and the case of *R v Jones* [2002] UKHL 5 (20 February 2002) and *General Medical Council v Adeogba* [2016] EWCA Civ 162. The panel also considered Social Work England guidance 'Service of notices and proceeding in the absence of the social worker'.
98. The panel considered all the information before it, together with the submissions made by Ms Bucklow on behalf of Social Work England. The panel considered that Ms Stembridge had been sent notice of today's hearing and the panel was satisfied from her earlier attendance, as part of her postponement application, that Ms Stembridge was aware of the hearing.
99. The panel therefore concluded that Ms Stembridge had chosen to voluntarily absent herself. The panel noted its earlier decision in respect of postponement.
100. Having weighed the interests of Ms Stembridge in regard to her attendance at the hearing with those of Social Work England and the public interest in an expeditious disposal of this hearing, the panel determined to proceed in Ms Stembridge's absence.

Private vs Public:

101. The panel noted that Ms Stembridge prior to disengaging with the hearings process had expressed her concern that this hearing was being dealt with in public. The panel having already determined the above matters at paragraphs 16-19 should be dealt with in private, went on to consider whether the whole of the hearing should be dealt with in private, in line with Ms Stembridge's concerns.
102. The panel heard submissions from Ms Bucklow on behalf of Social Work England. Ms Bucklow submitted that the open justice principle should apply, she acknowledged that the parts of the hearing were to be held in private, pursuant to rule 37 and 38 of the Social Work England Fitness to Practise Rules 2019 (as amended), however Ms Bucklow submitted that there was no valid reason submitted by Ms Stembridge for the entirety of the hearing to be held in private.
103. The panel heard legal advice. The panel were referred to its discretionary powers under Rule 38 of the Fitness to Practise Rules 2019 (as amended) to decide to hear all or part of the proceedings in private having regard to the vulnerability, interests, or welfare of any

participant in the proceedings. The panel were informed there is a public interest in open justice, however, this should be balanced carefully against the need to protect the private life of the social worker.

104. The panel decided that it was not appropriate to hear the entirety of the hearing in private. The panel confirmed its previous decision in respect of **(PRIVATE)**. The panel acknowledged that this decision may require substantial parts of the evidence to be heard in private, however, the panel determined this course of action was required to protect the private life of Ms Stembridge. The panel concluded that it would be disproportionate and contrary to the open justice principle to hear the entirety of the hearing in private. Further, the panel noted that Ms Stembridge had not put forward any adequate reasons for why the entirety of the hearing found be held in private. As such the panel confirmed its previous decision.

Summary of evidence:

105. The witness bundle contained written statements from 10 witnesses:

- i) **(PRIVATE)**
- ii) Person A – (HR Business partner at the Trust)
- iii) AM - (HR Business partner at the Trust)
- iv) AP – (Director of Social Work for the Trust)
- v) KB (Person E) – (Investigator at Social Work England)
- vi) RR- (Paralegal at Capsticks LLP)
- vii) **(PRIVATE)**
- viii) **(PRIVATE)**
- ix) NM (Person F)-(Investigations Manager for Social Work England)
- x) IC (Person D) – (Case Examiners Operations Manager at Social Work England)

106. Ms Bucklow confirmed to the panel that she intended to call all of the above witnesses.

(PRIVATE)

107. **(PRIVATE)**

108. **(PRIVATE)**

109. **(PRIVATE)**

(PRIVATE)

110. **(PRIVATE)**

1. **(PRIVATE)**

2. **(PRIVATE)**

3. **(PRIVATE)**

4. **(PRIVATE)**

5. **(PRIVATE)**

111. **(PRIVATE)**

112. **(PRIVATE)**

113. **(PRIVATE)**

114. **(PRIVATE)**

115. **(PRIVATE)**

116. **(PRIVATE)**

117. **(PRIVATE)**

118. **(PRIVATE)**

119. **(PRIVATE)**

120. **(PRIVATE)**

121. **(PRIVATE)**

Postponement reconsideration

122. **(PRIVATE)**

123. **(PRIVATE)**

124. **(PRIVATE)**

125. **(PRIVATE)**

126. **(PRIVATE)**

127. **(PRIVATE)**

128. **(PRIVATE)**

Summary of evidence:

Person A

129. In their witness statement Person A says:

- i. *I know the Social Worker because she was a previous employee at the Trust. I cannot remember what her exact job title was but it was something similar to being a team leader for a team in North-West Sussex. She worked in the same service as when I was a HR Manager and then when I was a HR Business Partner. The Social Worker worked in the Adult Services North-West Sussex Care Delivery Service ("CDS"). My role included supervising the senior HR Advisors for this CDS and providing strategic support and advice to the Senior Managers and Director in this CDS. The Social Worker had been subject to a formal employee relations procedure. I was the HR representative who supported a senior manager to present a case at the Social Worker's disciplinary hearing.*

The incident on 7 March 2019

- ii. *I knew the Social Worker was at the office premises when I heard someone enter the HR Business Partner's office. I looked up when I heard shouting. I recognised the person who was shouting as a former employee who was formerly known as Nancy Stembridge. She is of an average height and younger than myself. She was in her late thirties or forties at the time of the incident. Her hair was between shoulder and waist length with a wavy nature to her hair. She also had a dog with her.*
- iii. *The Social Worker came into my office specifically. I believe this is because my office used to be Sue Esser's office. Ms Esser was a previous HR Director at the Trust. She had been the HR representative on the panel for the disciplinary hearing which resulted in the dismissal of the Social Worker. She repeatedly shouted at me by saying "fucking cunt" and "nasty little slut". I recall that she repeated these phrases at least three times. It may have been more times but I know for certain that these were said at least three times. The Social Worker also said "where's that fucking cunt Sue Esser". I was in a state of shock and a colleague called JR came into the office.*
- iv. *I told JR that the Social Worker was banned and the police needed to be notified. The Social Worker was banned from the Trust following an email which was sent on 3 July 2018 from the interim HR Director who was called AV following an incident on 27 June 2018. This email stated that if the Social Worker came onto the Trust's property then the police would be called.*
- v. *When the Social Worker was shouting at me, I felt my heart racing and I felt scared. This was particularly the case because I did not know if she was going to attack me or if she had any weapons. I also felt trapped due to the office being small.*
- vi. *JR said to the Social Worker "you should not be in here; you need to get out". JR was very calm. The Social Worker initially did not respond. When JR intervened, the Social*

Worker moved. This created an opportunity for me to leave the office. I went to find someone senior. The Social Worker followed me into the reception area. After this, JR called the police.

- vii. I do not know exactly what time the Social Worker came into the building because I was not able to see the whole building. I know that the Social Worker arrived and left between 10.00am and 11.00am. This is because as a group we move our cars at 11:00am because the parking meters run out and there is free parking nearby. I did not go out alone as I was scared that the Social Worker would still be there. The colleagues I went out with were JR and AM.*

The Social Worker returning to the Trust

- viii. I did not see the Social Worker after the first incident. When she came back a second time some of my colleagues had found a room out of the way. These colleagues included JR and AM.*
- ix. The room which I was put into was the HR meeting room. This room has a solid door with no window so if the Social Worker was looking for me then I felt safe. The security door that was in reception was locked this time. When the Social Worker came into the office before, the security door was not locked. This door is usually locked and I do not know why it was not before.*
- x. I do not know when the police attended or who called them when the Social Worker returned because I was sitting in the HR meeting room.*
- xi. I completed a typed statement dated 7 October 2019 which was prepared by me. I can confirm that the words that are “XXX” out were the phrases “fucking Sue Esser”, “fucking cunt” and “nasty little slut”. These words were not included in the statement due to their vulgar nature. The Trust state that it is usual practice to not write swear words in documents.*
- xii. The reason for the statement being dated 7 October 2019 when the incident happened on 7 March 2019 is because AP told me that Social Work England wanted statements when they were conducting their investigation. AP is the Deputy Director of Social Work and the Head of Adult Safeguarding at the Trust.*

130. Person A was called to give evidence. Person A confirmed the content of her statement was true and accurate to the best of her knowledge. Person A confirmed that she knew Ms Stembridge as an employee in the service, she had attended training sessions with Ms Stembridge and meetings in respect of employee relations procedures.
131. Person A explained the office in which the incident on 7 March 2019 took place was small, approximately 2 ½ metres by 2 ½ metres.
132. Person A stated she was sitting at her laptop when she looked up and saw Ms Stembridge standing in her office with a dog. Person A described Ms Stembridge shouting and being very angry. She stated Ms Stembridge wanted to know where the previous HR director was.
133. Person A confirmed the language used in her statement and referred to Ms Stembridge calling her a “nasty little slut”.
134. Person A stated she needed to “stay calm, and to try to enable Ms Stembridge to calm down” so she could get out the room and call the police. She stated that she was aware that Ms Stembridge had been written to previously and told that the police would be called if she came onto the Trust’s property.
135. Person A recalls not feeling safe and being concerned that Ms Stembridge may have “something on her”. She stated the incident felt very long but it “could not have been longer than 15 minutes in total”. She said matters were interrupted when her colleague came in the room. She found this a “huge relief”.
136. Person A stated her colleague was “assertive but calm” with Ms Stembridge. Person A stated that her colleague entering the room enabled her to leave the room, as Ms Stembridge changed her positioning. Person A said she left the room and made her way to reception and Ms Stembridge followed her.
137. Person A stated two directors came to the reception area, and it was stated that they needed to call the police. Person A recalled Ms Stembridge’s response to this was to say “yes carry on, you call the police.”
138. Person A stated that she then went to a safe place. She said Ms Stembridge was then in the reception area, and she could see her through glass panels in the reception area, she saw that she was with the police but couldn’t see her clearly.
139. Person A stated Ms Stembridge made her feel “scared”, she said she “didn’t know what she was going to do”, and she felt “vulnerable”. She said after the incident she met with a psychologist. (PRIVATE)
140. **(PRIVATE)**

AM

141. In her witness statement AM says:

- i. *I am a HR Business Partner at Sussex Partnership. I have been in this role since 2015 but I have been with the trust since 2011, where I was initially employed as a Senior HR Advisor. The main responsibilities of this role are to look after the Corporate, Estates and Provider Collaborate divisions within the Trust. My role involves overseeing complex case work, generalist HR support and workforce development.*
- ii. *The Social Worker was an employee at my work. She was previously known as Nancy Stembridge. I had previous dealings with her in 2013 or 2014. There was an investigation underway that a colleague was supporting on. I am not sure what the complaint was, but I think it involved a capability investigation against the Social Worker. I did not do this investigation. I do not believe anything formal came from this and some recommendations were made.*
- iii. *The Social Worker came into the office a couple of times. She came in unannounced a few times for an informal chat with HR. The Social Worker also emailed me a few times when she was applying for another job. She was concerned about the references which the managers would provide. I was not working on her case as Person A was dealing with her.*
- iv. *I cannot recall the role that the Social Worker had at the time, but she did require a social work qualification. She was working in our CAMHS (Children's) services at this time and I previously supported our CAMHS area.*
- v. *My previous statement is an accurate account of what happened on 7 March 2019. I prepared some rough notes after the incident and I then typed up the statement shortly after.*
- vi. *There were two separate offices within the building which are used by the HR Business Partners. I had moved into a different office to meet a colleague called TD, who was the Senior HR Advisor reporting to me. This office did not have a name but it was known as "K and L's office". K was a HR Senior Manager and L is the Business Manager.*
- vii. *I heard shouting and words which were not very pleasant. I remember the person kept shouting "fucking cunt" and also "you're just a fucking slut" or a "fucking slag". I assumed this was the Social Worker but I was not sure at this point. The Social Worker has quite a distinctive voice. She was shouting Sue Esser's name, who was the previous HR Director. Ms Esser had left a few years ago in 2018.*
- viii. *This caught my attention and I walked out of the office to see what was going on. Person A had quickly walked out of the Business Partners' office and she started to go to the exit. She was followed by a person with a dog who I assumed was the Social Worker but I was not fully sure as she had her back to me. She was then followed by JR, who is an HR Business Partner.*
- ix. *They walked past the HR meeting room and people in the meeting heard the shouting and came out to investigate. These people included RH, who was the Assistant Chief*

Operating Officer, and GF, who is currently the HR Business Partner for medical staffing. I am unsure what role GF had at the time.

- x. There was a lot of shouting from the Social Worker as she was following Person A out of the door. Person A then went out of the main door at reception. I saw who I assumed to be the Social Worker walk past her and out of the building. Person A was saying to anyone to call the police. I was a bit shaken after. I was trying to look after Person A because she was really shaken. I was trying to be supportive and checking whether she was okay. I also stayed close to her and I asked if she needed help. I was trying to contact TC, the Trust Security Officer. TC had been advising Person A and other colleagues on how to deal with concerns around the Social Worker.*
- xi. When I heard the shouting in the room next door to the office I was in, I went to investigate. I did not know this was the Social Worker at the time. I only saw the back of the Social Worker and I made the assumption that it was her. Person A later confirmed it was the Social Worker. I recognised the Social Worker's appearance because I had met her before and I recognised her long light to mid brown hair and medium build. Person A also recognised her as the Social Worker because she told me this after the incident.*
- xii. I do not know how the Social Worker got into the office. There is a door next to reception which has a code on it. I believe that the lock was left on the latch but I cannot confirm this.*
- xiii. The Social Worker was using language that was not pleasant and not appropriate. She was not physically aggressive but she was using very aggressive language such as what I referred to before. I deemed this aggressive because it was vile and very abusive language. It was quite frightening.*
- xiv. The Social Worker arrived at around 10.30am. I do not know when she left. I was behind the Social Worker and so she may not have known that I was there. She was intent on person A because she was following Person A and shouting at her. I was quite shaken. I do not expect that type of behaviour in an office environment and I do not expect it to be directed towards us.*
- xv. I have been in situations where people have been screaming but that has been in a more controlled environment, for example, distressed patients on a ward. It was quite a shock and I was concerned about Person A because she was very shaken, scared and upset after this incident. I knew she had issues with the Social Worker before. I do not know the detail of this, but I know the Social Worker was someone who she had previously had a lot of contact with. I knew that Person A had sought advice on how to deal with the situation. Person A or JR spoke to MG, who was our manager, after this first incident.*
- xvi. We have to move our cars at 11.00am because there is free parking available on alternative streets near work after 11.00am. Parking by the office is on a permit/ restricted parking or pay to park basis. I remember being really scared as I did not*

know if I was going to be confronted by the Social Worker and we made sure that Person A was accompanied at this time.

The second incident on 7 March 2019

- xvii. The Social Worker came back a bit later. I am not sure if the gap was a couple of hours. I was alerted that she was back by JB who was the Assistant Director/Head of Service for CAMHS. I do not remember what JB said exactly but she said that the Social Worker was back and asked one of us to speak to her. This included JR. JR declined for us to meet with her. The Social Worker was not able to come through to the office as the door next to reception was locked and so she stayed in reception.*
 - xviii. The police attended shortly after the Social Worker came back. I am not sure who rang the police. The Social Worker was in reception. I was with JR and we stood in the hallway behind the reception door. There was a glass panel so we could partially see into the main hall at reception. I could only see the legs of people and I could hear the voices. There was a meeting going on in the main meeting room called the Elm room. Because of the noise, I could see that some of the managers in this meeting came out to try to deal with the situation. The Recruitment Business Partner called MU went out into reception and MH and I believe SB, who was the Chief Operating Manager, came out of their meeting and tried to calm the Social Worker down. The Social Worker was shouting again for Ms Esser. The managers were saying that Ms Esser does not work there anymore.*
 - xix. The police restrained the Social Worker When she was on the floor, I saw her kick a female police officer. The Social Worker was taken off site. The police came back and the female police officer said that the Social Worker had been removed from site and they had advised her to go home. I asked if the police officer was okay as she had been kicked and the officer said that she was. After the Social Worker was escorted off the premises I was trying to support Person A. She was very shaken and so I tried to be with her. I was seeing if there was anything we could do to help her and JR was also there.*
 - xx. After the Social Worker had left, we contacted PF, who was one of the Estates Directors. We were also concerned about how the Social Worker had gotten into the office. I think that either MG or MC arranged for an email to go around which said that people could not leave the door on the latch as it should always be locked.*
 - xxi. We talked about how to help make Person A safe. One instance of this was that somebody accompanied Person A to her car in the evening as we have to walk up the road to get our cars. I have not had any interactions with the Social Worker since March 2019. To my knowledge, she has not been into the office since this date.*
142. AM was called to give evidence. She confirmed the content of her statement was true and accurate to the best of her knowledge. AM confirmed that she was in the office next door to Person A's office having a conversation when she heard "shouting". She said the words were "not pleasant" and she was still in the office but could heard what was being said. She

stated she heard the words “She is a fucking cunt” and “fucking slag or fucking slut”. AM did not know it was Ms Stembridge when she heard this.

143. AM then witnessed Ms Stembridge follow Person A, out of the offices, she stated they “walked towards the exit doors into reception”. She stated Ms Stembridge was still shouting and using the same language at that time.
144. She explained the Police were called and the matter was dealt with by “senior managers who had been in meeting room at the front of the building”. These managers explained Sue Esser had left the organisation. The police then removed Ms Stembridge from the building.
145. AM stated at this stage she was behind the door. She saw the police asking Ms Stembridge to leave, she saw that they restrained her, took her to the floor and she saw her kick a female police officer. AM stated the incident made her feel “scared and anxious”.
146. In response to the panel’s questions, AM confirmed that she did not need to seek extra support as a result of the incident, her manager was on hand however to help her if she needed it.

AP

147. In his witness statement AP says:
 - i. *I am currently the Director of Social Work for Sussex Partnership NHS Foundation Trust and one of two senior professional leads for Social Work at Sussex Partnership. I am a registered social worker – registration number 32002. I started this role in June 2021. I have worked for Sussex Partnership for 15 years. One of the responsibilities of this role is to co-ordinate fitness to practise concerns to be raised and collating and arranging the witnesses. I also provide governance and professional assurance in relation to registered social workers. I am also the Head of Safeguarding.*
 - ii. *My previous job title was as Deputy Director of Social Work for Sussex Partnership. I started this role in 2015 and ended the role when I took my current role in June 2021. This role had similar responsibilities to my current role.*
 - iii. *The Social Worker was employed as a Team leader in the Assertive Outreach Team in West Sussex from September 2014 up until her dismissal in Feb 2016. I have only met the Social Worker once. I first knew of her in July 2016 when I sat on the Appeal Panel in relation to her dismissal from the organisation. The Social Worker was managing the Assertive Outreach team in West Sussex. The Social Worker did not work for us again following her dismissal.*
 - iv. *I wrote to the Social Worker shortly after I raised the fitness to practice concern in 2019 to inform her of me reporting the concern.*

The incident on 7 March 2019

- v. *I was not present on 7 March 2019 when the Social Worker came to Aldrington House. I was not aware that the Social Worker was at the premises until later in the day when I was contacted by the Deputy Manager of HR –MG. As far as I can recall he phoned me at about 3.00 p.m. I decided it was a fitness to practise concern and I worked with MG to secure witness statements.*
- vi. *I was informed by MG that the Social Worker came to the premises at around 10.30am. The Social Worker was screaming, shouting and seeking Sue Esser. Sue was a HR Director at the time when the Social Worker was dismissed in 2016. Sue had left the organisation by the time of this incident.*
- vii. *The Social Worker also confronted Person A. The police were called by a member of staff and the Social Worker left. The Social Worker came back at approx.12.30pm. The front door was accessible to the public, meaning that she was able to walk up to the Reception.*
- viii. *The Social Worker was shouting and swearing and using offensive language. She was behaving in an aggressive way. She was being forceful and screaming. A HR business partner called MU was contacted by the receptionist TB. I was informed of this by MG that afternoon.*
- ix. *The police were called and arrived within 15 minutes according to the incident report. The Social Worker was wrestled to the ground by the police after she refused to leave. The Social Worker was escorted out by the police and had to be taken in handcuffs. People were upset and distressed. The police did not arrest or charge the Social Worker to my knowledge and I do not think any further action was taken.*
- x. *I had a discussion with the Director of HR- GW- and they asked if we could raise it as a fitness to practise concern. I said that we could as she was a social worker and she was bringing the profession into disrepute. The incident report was filled out by another manager in HR. If there is a risk of assault on the premises then we would have to fill in an incident report. It was filled in on the same day.*
- xi. *I made the complaint to HCPC on 15 April 2019. In the referral, I described the incident as it was reported to me by MG. After the incident a senior manager in HR sent a letter to the Social Worker.*
- xii. *The Social Worker was not conducting herself in a manner that was appropriate for a social worker. If you look at the Professional Capability Framework (“PCF”), it is about professionalism and acting as a responsible professional which does not bring the profession into disrepute. The PCF standard for professionalism refers to “taking responsibility for our conduct” and as a representative of the profession “safeguarding its reputation”.*
- xiii. *The Social Worker’s behaviour was concerning as she was behaving in an unacceptable way. She was aggressive and used very vulgar swear words – these are referred to in the witness statements. She was screaming at people and staff felt*

very frightened and intimidated and were worried about their duties. I have spoken with Tracey Best and also with HR staff Person A and JR– they all reported feeling intimidated and were concerned for their own safety.

148. AP was called to give evidence he confirmed his witness statement was true and accurate to the best of his knowledge. AP confirmed that he was now retired. The Panel had no questions for AP.

KB

149. In her witness statement KB says:

- i. I am currently an Investigator at Social Work England. I have been in this role since 29 September 2019. The main responsibilities of this role is that I gather information and evidence from complainants, social workers and witnesses. All this information is put into a case investigation report and a bundle. We then make a recommendation for whether the case should be closed or if there is a case to answer. I know the Social Worker through working on her case. It was a Health and Care Professions Council (“HCPC”) case where a complainant referred the Social Worker.*
- ii. I can confirm that the telephone attendance note from 30 January 2020 is an accurate account of what was said. The only difference was that the Social Worker called me a “fucking bimbo” rather than a “bimbo”. I did not think I needed to include it because I had said before in the attendance note that the Social Worker had been swearing.*
- iii. My lead investigator at the time, NM, asked me what was said, and this was when she realised that I did not include the above phrase. This is why it was clarified in the file note.*
- iv. I can confirm that the email exchanges exhibited is an accurate account of what was said. I believe that these emails were sent after I sent a case investigation report and bundle to the Social Worker. (PRIVATE)*
- v. (PRIVATE)*

The Social Worker’s names

- vi. The Social Worker was known as Nancy Jane Lindsay. She has since changed her surname to Sullivan by deed poll dated 9 April 2020. These are the only names which are known to Social Work England. These can be found in several pieces of documents shown on Forge in the evidence and communication folders.*
150. KB was called to give evidence she confirmed that her witness statement was true and accurate to the best of her knowledge. The panel had no questions for KB.

RR

151. In his witness statement RR says:

- i. I am a Paralegal at Capsticks LLP. I have been in this role since April 2021. Prior to this I attained the Legal Practitioners Course at Nottingham Law School in September 2020 and completed a placement year at Plexus Law as part of my undergraduate degree.*
- ii. In June 2021, I was allocated to investigate FTP-70467. The social worker under investigation was Ms Stemberge ("the Social Worker"). This matter was referred by the Case Examiners of Social Work England on 24 March 2021. The Social Worker has previously been named Nancy Sullivan and Nancy Lindsay and changed their name via deed poll.*

152. RR was called to give evidence he confirmed that his witness statement was true and accurate to the best of his knowledge. The panel had no questions for RR.

(PRIVATE)

153. **(PRIVATE)**

- i. (PRIVATE)*
- ii. (PRIVATE)*
- iii. (PRIVATE)*
- iv. (PRIVATE)*
- v. (PRIVATE)*
- vi. (PRIVATE)*

154. **(PRIVATE)**

(PRIVATE)

155. **(PRIVATE)**

- i. (PRIVATE)*
- ii. (PRIVATE)*
- iii. (PRIVATE)*
- iv. (PRIVATE)*

v. (PRIVATE)

vi. (PRIVATE)

vii. (PRIVATE)

viii. (PRIVATE)

ix. (PRIVATE)

156. (PRIVATE)

157. (PRIVATE)

158. (PRIVATE)

159. (PRIVATE)

160. (PRIVATE)

161. (PRIVATE)

162. (PRIVATE)

163. (PRIVATE)

164. (PRIVATE)

NM

165. In her witness statement NM says:

- i. *I am currently the Investigations Manager for SWE. I started this role on 5 January 2021. The main responsibilities of this role is to manage the five investigations teams and personally manage the Lead Investigators.*
- ii. *In January 2020, I was a Lead Investigator for SWE. I started this role on 24 April 2019 and finished this role when I started my current role. The main responsibilities of this role was to manage a team of investigators who were dealing with fitness to practise investigations.*
- iii. *On 30 January 2020, an Investigator at SWE called KB had a telephone conversation with the Social Worker. KB rang the Social Worker to let her know that she was investigating the matter. KB was a fairly new Investigator. I read the telephone attendance note she had drafted. I thought that this was too vague. KB was visibly upset. I asked KB about the telephone attendance note and she said that she was*

unsure whether she could put swear words in. I added to the telephone attendance note through the file note.

- iv. As the call with KB was unpleasant and she suspected that the Social Worker may call back, I told KB that if she did call again then I would take the call for her. I was KB's manager and I did not want her to be any more upset. The Social Worker called back after a few minutes and I answered.*
- v. When I spoke to the Social Worker she kept shouting over me. I am experienced with difficult communications and remained calm throughout the call. I was trying to explain what was happening and why KB was calling her but she would shout over me. At one point I managed to speak and explain that KB was investigating the case.*
- vi. The Social Worker said that I was being "fucking spiteful" and that I was using terminology which was upsetting. I told her that I was not trying to upset her. The Social Worker talked over me. I then tried to explain the letter which was sent to the Social Worker and she started swearing. I said that I would end the call if she carried on swearing. The Social Worker then shouted "you spiteful fucking cunt". I ended the call.*
- vii. Following these telephone calls, we had concerns over the Social Worker's mental health. I have not been involved in any other conversations with the Social Worker.*

166. NM was called to give evidence she confirmed her statement was true and accurate to the best of her knowledge. NM clarified the order of her exhibits and noted that KB's call was at 11.17 and her call note was at 14.54. The panel had no questions for NM.

IC

167. In his witness statement IC says:

- i. Until 19 July 2021, I worked as a Case Examiners Operations Manager for Social Work England. I had been in this role since April 2019. The main responsibilities of this role were to have operational oversight of the Case Examiners team, manage the allocation of cases and provide process guidance to the Case Examiners*
- ii. The telephone note which is dated 23 March 2021 covers two phone calls. I initially arranged to speak with the Social Worker and her advocate on 18 March 2021. The Social Worker had technical issues on this day and asked if we could proceed at a later date.*
- iii. The substantive call was on 23 March 2021. Prior to the substantive call, I exchanged emails with the Social Worker to outline the key information we would discuss. Looking back at the content of the telephone note, one of the key intentions of the call was to present the Social Worker with the Case Examiners' proposals. The report containing the Case Examiners' proposals would have contained the regulatory*

concerns and the Case Examiners' findings in relation to their key tests. There would have been the realistic prospect test, the public interest test, the sanction proposed through the accepted disposal process and the reasons why it had been proposed.

- iv. The Social Worker gave an overview of what happened on 7 March 2019. When I reached the point of going through the proposal, I had only read out the first regulatory concern when the Social Worker stated that she would end the call as she considered that the word 'aggressive' within the concern was defamatory. In the absence of the Social Worker, I then decided to send a summary of the concerns to her via email.*
- v. After the call was terminated, I received an email from the Social Worker. The Social Worker explained that she had ended the call as I had used "punitive" and "defamatory" wording.*
- vi. Over the course of the afternoon and evening of 23 March 2021, I received around 30 emails from the Social Worker. They were quite difficult to follow and there were some duplications of emails which were sent.*
- vii. I emailed the social worker later in the afternoon on 23 March 2021. I explained the concerns and put it into terminology to be understood. I provided an overview of the process and the options the Social Worker had. It was currently in the Case Examiners' process and I made clear what the Case Examiners' proposal would mean for the Social Worker. I provided an overview of the Social Worker's next steps and gave a deadline to either accept the proposals, reject them or suggest changes to the proposal.*
- viii. (PRIVATE)*
- ix. (PRIVATE)*
- x. (PRIVATE)*
- xi. There were more emails sent from the Social Worker. The Social Worker sent an email protesting the use of the word aggressive. The email on 23 March 2021 was the last email I received.*
- xii. The Social Worker sent an email asking why she was receiving documents from HA. I think there was an interim order review and so HA would have been sending emails relating to this.*
- xiii. There is an email from the Social Worker (PRIVATE) apologised for not writing on the day as had been previously advised. (PRIVATE)*
- xiv. At Exhibit IC/13, this was the first time I was asked by the Social Worker to provide a complete list of the regulatory concerns. There were more emails sent from the Social Worker exhibited at Exhibit IC/14. There are a further run of emails exhibited*

at Exhibit IC/15 and these were not in reply to any emails as the Social Worker had picked up on the thread from before.

- xv. *The last emails sent on 25 March 2021 can be found at Exhibit IC/16. On 26 March 2021 there was an email sent where the Social Worker asked L to help find a counselling session. On 31 March 2021 there was an email where the Social Worker provided a lengthy statement in a reply to the Case Examiners' report.*
- xvi. *On 1 April 2021 I sent an email confirming that I had received the email from the Social Worker. The Social Worker then sent another email on 1 April providing clarification.*
- xvii. *On 6 April 2021 I informed the Social Worker that the Case Examiners had determined that the case must proceed to a formal hearing. The Case Examiners felt that she had made her position clear and concluded that they could not implement a disposal. The Social Worker sent emails in reply saying that she would not read the email I had sent.*
- xviii. *I sent an email which explained that the word "aggressive" had been used in the regulatory concerns, which outline the matters the regulator was investigating, and that the Social Worker would be able to provide reasons at a hearing as to why she did not consider the word to be accurate. On 7 April 2021 the Social Worker swore in an email. Exhibit IC/23 shows the Social Worker apologising for swearing.*
- xix. *Exhibit IC/24 shows a longer and broader response from the Social Worker to my email. Exhibit IC/25 also shows a further response from the Social Worker. I then did not receive anything from the Social Worker until June. On 11 June 2021 the Social Worker sent an email introducing herself and requesting a number of actions be taken in relation to her fitness to practise case. (PRIVATE)*
- xx. *I did exchange further emails with the Social Worker from November to April. There were fewer emails spread over a smaller period. Much of these emails were administrative. The first email was on the 27 November 2020 where I walked through the Case Examiners stage of the process.*

168. IC was called to give evidence he confirmed his statement was true and accurate to the best of his knowledge. The Panel had no questions for IC.

Submissions on facts

Social Work England

169. Ms Bucklow on behalf of Social Work England submitted this matter arose from the initial referral by Ms Stembridge's former employer, the Trust. Ms Bucklow stated Ms Stembridge was dismissed in 2016, she felt a sense of injustice in respect of those matters and an

employment tribunal followed. Ms Bucklow noted the appeal against the employment tribunal decision occurred before the index incident occurred. Ms Bucklow submitted that this was the context of Ms Stembridge's attendance on 7 March 2019. Ms Bucklow stated Ms Stembridge should not have attended on Person A, as she was banned from attending the Trust. She stated she was warned the police would be called if she was to attend the Trust. Ms Bucklow stated Person A was the victim of the social workers conduct, as was AM.

170. Ms Bucklow submitted that within Person A's statement and evidence, she explained Ms Stembridge was looking for the office of Sue Esser, who was the HR representative at the disciplinary hearing, between 10am and 11am. She stated Ms Stembridge went into Person A's office and was shouted "where is that fucking cunt Sue Esser". Ms Bucklow stated she used the words "fucking cunt" and referred to Person A as a "nasty little slut." Ms Bucklow noted Person A needed to stay calm to get out of the room, when possible. When Person A's colleague JR came in the room and told Ms Stembridge in calm but assertive manner to leave, this allowed Person A to get out of the room. Ms Bucklow stated Person A was then followed by Ms Stembridge.
171. Ms Bucklow submitted Person A was an honest and genuine witness who had been affected by the incident. Ms Bucklow submitted that the impact that this incident has had upon Person A, is an indicator of her telling the truth. She noted Person A's PTSD and agoraphobia diagnoses that were unfortunately acquired following this incident. Ms Bucklow submitted the impact of the incident supports the veracity of Person A's account. Ms Bucklow noted the incident left Person A vulnerable and requiring support.
172. Ms Bucklow noted AM's account was consistent with her statement. She heard the words "fucking cunt" and recalled the use of the words of either "a slut or a slag". Ms Bucklow noted that AM described the language as aggressive, vile and very abusive. She heard the shouting of Sue Essers name. She saw Person A being followed by a woman with a dog. She later identified the woman as Ms Stembridge. Ms Bucklow stated that AM noted that she saw Ms Stembridge kick a female police officer.
173. Ms Bucklow noted that Ms Stembridge does not deny being removed from the Trust premise by the police in her response bundle.
174. Ms Bucklow submitted AM and Person A were consistent and reliable witnesses. She submitted that Social Work England do not rely on the statements of JR or TB, as no hearsay application has been made in respect of those statements.
175. **(PRIVATE)**
176. **(PRIVATE)**

177. Ms Bucklow submitted that Ms Stembridge had been abusive to Social Work England staff and IC. She referred to the evidence of KB, NM and IC and submitted this evidence supported the paragraphs of the allegations.

178. **(PRIVATE)**

Ms Stembridge

179. While Ms Stembridge was not in attendance the panel took into consideration the extensive response bundle which included Ms Stembridge's replies to the allegations. Further, the panel received a number of emails from Ms Stembridge during the proceedings, which the panel took into consideration, upon Ms Stembridge's request.

Finding and reasons on facts:

180. The panel accepted the advice from the legal adviser, which included the following:
- a. It is for Social Work England to prove the allegations on the balance of probabilities;
 - b. All the evidence should be considered before making findings of credibility, and when making such findings, the panel should not rely exclusively on demeanour;
 - c. Hearsay evidence must be treated with caution and consideration given to its admissibility and then the weight, if any, that can be afforded to it;
 - d. Ms Stembridge is of good character and the panel may take this evidence into account on the question of propensity, i.e. whether it is likely that she would have acted as alleged in the circumstances;
 - e. The panel should have regard to the Social Work England Health Concerns guidance published on 16 December 2022.

1. Whilst registered as a Social Worker you:

At around 10:30hrs on 7 March 2019 attended the premises of Sussex Partnership NHS Foundation Trust, and;

16.2 Entered part of the premises;

16.3 Entered part of the premises you were not authorised to enter.

16.4 Used inappropriate and/or aggressive behaviour towards Person A.

16.5 Used offensive language set out in Schedule A at Person A.

SCHEDULE A

- 1. "Where's that fucking cunt Sue Esser?"***
- 2. "fucking cunt"***
- 3. "nasty little slut"***
- 4. "You horrible, unprofessional piece of shit"***

181. The panel considered the evidence of Person A and AM carefully. The panel noted that both witnesses provided oral testimony and the panel found both witnesses to have provided credible and consistent accounts of the events which took place on 7 March 2019.
182. The panel noted that within Ms Stembridge's representations she does not deny entering part of the Trust premises on the 7 March 2019. As such the panel found paragraph 1.1 proved.
183. In respect of Ms Stembridge allegedly entering part of the Trust's premises, which she was not authorised to enter, the panel have not seen any evidence of a letter, which was allegedly sent to Ms Stembridge, telling Ms Stembridge not to go to the Trust premises. As such the panel has not taken this evidence into account.
184. However, the panel concluded that such a letter was not required for a person to know they were not authorised to access offices within the Trust premises without expressed permission. By its nature the Trust premises and the offices contained within it would have contained highly confidential information, and Ms Stembridge was no longer an employee of the Trust.
185. The panel have heard no evidence to suggest Ms Stembridge was authorised to enter the office of Person A. Further, Ms Stembridge herself has not sought to argue that this was the case. As such, the panel concluded that Ms Stembridge was not authorised to enter Person A's office. Therefore, the panel found paragraph 1.2 proved.
186. In respect of paragraph 1.3 and Ms Stembridge's alleged inappropriate and/or aggressive behaviour towards Person A, the panel found Person A's oral account to be compelling.
187. The panel noted the impact that the incident on 7 March 2019 has had upon Person A, and considered the fact that this impact has been lasting. The panel noted Person A undertook CBT as a result of the incident. Given the impact upon Person A the panel found that it was more likely than not that Ms Stembridge did display inappropriate and/or aggressive behaviour towards Person A.
188. Within Ms Stembridge's own account she does not deny being upset and agitated. She recounts that on the morning of the incident she went to Brighton Police Station to ask them to contact the Trust and to liaise concerning the end of her employment tribunal case. She acknowledged being "shocked, distressed and frustrated with the hearing outcome". She notes that she "couldn't just go home and calm down, as was suggested".
189. In the circumstances the panel concluded it was highly likely that Ms Stembridge arrived on the Trust premises in a heightened state, and it was more likely than not that she displayed

both inappropriate and aggressive behaviour towards Person A. The panel noted that Person A was concerned that Ms Stembridge “had something on her” and it was clear from her evidence that she feared for her personal safety.

190. With regard to paragraph 1.4 and use of the words “Where’s that fucking cunt Sue Esser?”, “fucking cunt” and “nasty little slut”. The panel found Person A’s account to be clear and credible. The panel noted that Person A’s recollection of these words was clear, and her evidence was consistent with her relatively contemporaneous account of the incidents. As such the panel found that these words were used by Ms Stembridge.
191. In respect of the words “You horrible, unprofessional piece of shit” the panel noted that these were words which Ms Stembridge accepted using in her representations. She states as follows “What I did say, was as follows You horrible, unprofessional piece of shit.”
192. While the panel noted that Person A and AM did not recall these words being used, the panel was satisfied that there was clear evidence that more than one set of offensive phrases was used during the incident. The panel noted that this phrase could be considered to be less offensive than the phrases recalled by Person A and AM, and therefore it may not have been as easily recalled by them.
193. Further, the panel acknowledge that Ms Stembridge does not dispute this wording being used. As such the panel finds that the words “You horrible, unprofessional piece of shit” were used by Ms Stembridge.
194. The panel therefore find paragraph 1.4 proved in its entirety.

2. At an unknown time on 7 March 2019, you returned to the premises, Sussex Partnership NHS Foundation Trust and had to be escorted away from the premises by the Police.

195. The panel had regard to the evidence of Person A and AM, whom the panel found to be credible witnesses. The panel noted that both of these witnesses recollect Ms Stembridge’s interaction with the police on 7 March 2019.
196. Further the panel note the representation of Ms Stembridge in which she makes the following contradictory statements:

By email on 22 October 2021 at 16:18

“I have recently discovered that I have a physical area of damage to my veins, which is physically unsightly and unacceptable to me, on my legs - which I believe were caused by the actions of the two police officers on the ddd as t in question in March 2019. I will be

pursuing this through the police Complaint procedure and in the meanwhile I hope SWE will understand and accept that trying to cause me further distress is highly inappropriate and may only lead to yet further Complaint and possibly legal response.”

By attachment to email on 5 April 2022

“To be clear, I was not and never have been arrested, and I was not escorted from the premises. I was escorted from the building, but this was after we had been speaking for a while, not straight away as is mentioned in all of the case paperwork. And just outside the building, the police let me go and I was allowed to walk through the Car Park alone. So that is not the same, as ‘the police were called to forcibly remove her from the premises, they restrained her and escorted her from the premises’ as that is not what occurred. The police were not called to ‘forcibly remove’ me from the premises, as it is stated in communication from the Trust or SWE. The police were called to deal with the situation, and they arrived (one male and one female officer) and asked me what was going on. They spoke to me for a little while, and I asked them if they could establish if the Director of H.R was present. As there is also a management area upstairs in the building with offices in, so I wondered if the new person was perhaps up there.”

197. The panel noted that there was no real distinction between removal from the Trust premise and the car park. In all the circumstances the panel concluded that it was more likely than not that Ms Stembridge had to be escorted away from the premises by the Police and indeed her complaint in respect of physical damage to her veins is supportive of this. As such the panel found paragraph 2 proved.

3. Used inappropriate and aggressive behaviour towards staff at Hill Rise, Sussex Partnership NHS Foundation Trust, in that:

3.1 On 8 July 2020 you were abusive and aggressive in a telephone call with Person G, causing her to terminate the call.

3.2 On or around 8 July 2020 you left a voicemail in which you called Person H the name set out in Schedule B.

3.3 On or around 8 July 2020 you left a voicemail in which you made threats to kill members of staff at Sussex Partnership NHS Foundation Trust.

198. (PRIVATE)

199. (PRIVATE)

200. (PRIVATE)

201. (PRIVATE)
202. (PRIVATE)
203. ***During the course of a regulatory investigation, you used inappropriate and aggressive behaviour towards employees of Social Work England, in that:***
- 4.1 During a call with Person E on 30 January 2020, you shouted at Person E and called her the name set out in Schedule C.***
- 4.2 During a call with Person F on 30 January 2020, you shouted at Person F and called her the name set out at Schedule D.***
- 4.3 On 23 March 2021 you sent abusive emails to Person D as set out in Schedule E.***
204. The panel had regard to the evidence of KB (Person E) and NM (Person F), the panel found that the evidence they provided was both credible and reliable.
205. The panel noted in Ms Stembridge's representation she states:
"I was stressed on the phone once over two years ago and used the word Bimbo, to someone who failed to tell me the date of the First Interim Order Review when I asked. Despite my having far greater reason to be upset about what occurred, I have apologised. Move on."
206. The panel determined the word "Bimbo" was used.
207. The panel then consider whether the working "fucking" was used. The panel noted that KB had not initially recorded the language set out in Schedule C, however the panel accepted the explanation for this. The panel consider on the balance of probabilities and given the likely frustration of Ms Stembridge during the conversation, it was more likely than not that the words "fucking bimbo" were used.
208. The panel therefore found paragraph 4.1 proved.
209. With regard to paragraph 4.2 the panel accepted the evidence of NM (Person F) that Ms Stembridge said the words "you spiteful fucking cunt" and ended the call with her.
210. The panel noted that Ms Stembridge used the word "spiteful" on a number of occasions in her representation in order to describe Social Work England, and therefore the panel found on the balance of probabilities it was more likely than not that such words were used by Ms Stembridge.

211. The panel noted its findings in respect of Ms Stembridge's previous use of offensive language and the words "fucking" and "cunt". The panel took these finding in into consideration when determining paragraph 4.2 and noted Ms Stembridge's propensity to use offensive language.
212. The panel therefore found paragraph 4.2 proved.
213. In respect of paragraph 4.3 the panel noted the emails set out in Schedule E. The panel noted that the email came from the same account that Ms Stembridge used to communicate with Social Work England throughout these proceedings and therefore the panel determined that the emails set out in Schedule E were all sent by Ms Stembridge to IC (Person D).
214. Ms Stembridge has not sought to deny sending the email and the panel note within the social workers response bundle there are further emails using similar language and phraseology ie "fuck off" to other persons including members of staff at Capstick LLP. Consequently the panel noted a historic and ongoing pattern of behaviour regarding Ms Stembridge's use of offensive language in electronic communication.
215. There panel therefore found Paragraph 4.3 proved.

(PRIVATE)

(PRIVATE)

(PRIVATE)

(PRIVATE)

(PRIVATE)

216. **(PRIVATE)**

217. **(PRIVATE)**

218. **(PRIVATE)**

219. **(PRIVATE)**

Procedural complaint

220. As set out above, throughout the hearing although Ms Stembridge has not attended, Ms Stembridge has however provided correspondence to the panel. These correspondences have been read by the panel and considered as part of the panels deliberations.

221. In some of the correspondence Ms Stembridge has questioned the independence of the legal advisor. As such the panel decided that in fairness to Ms Stembridge this issue should be considered.
222. The panel invited representation from Social Work England and the Legal Adviser, who both submitted that Ms Stembridge has not particularised the reasons why she has questioned the Legal adviser's independence. Social Work England confirmed they considered the Legal Adviser to be independent. The Legal Adviser confirmed that she was independent and was not aware of any circumstances which impacted upon her independence.
223. The panel met in camera without the Legal Adviser to determine this issue. The panel determined that there were no concerns in respect of the Legal Adviser's independence and as such the Legal Adviser should continue to participate in the proceedings.

Discontinuance of paragraphs 5.2 and 5.3:

224. Ms Bucklow on behalf of Social Work England requested that paragraphs 5.2 and 5.3 of the allegations be discontinued on the basis that the panel had determined that such matters relate to the impairment stage of this hearing and were not determinations which should be made at the factual stage.
225. The panel considered the fairness of such a request to both the public and Ms Stembridge. The panel noted that there was no prejudice caused by discontinuing paragraphs 5.2 and 5.3, as they formed part of the panel's subsequent decision on impairment, and the discontinuation of these paragraphs would not adversely impact Ms Stembridge. As such the panel agreed to discontinue paragraphs 5.2 and 5.3.

Misconduct and impairment - submissions:

226. The panel heard submissions from Ms Bucklow on behalf of Social Work England. She submitted that the facts found proved amounted to misconduct.
227. **(PRIVATE)**
228. **(PRIVATE)**
229. **(PRIVATE)**
230. In respect of misconduct Ms Bucklow submitted that Ms Stembridge was a risk to the public and the public did not just involve service users but the former colleagues of the social worker and the wider general public. She noted that the allegations found proved demonstrated Ms Stembridge's behaviour impacted upon the well-being of others.

231. Ms Bucklow stated Ms Stembridge was abusive and had used phrases such as “cunt” “bimbo” and “slut”. Ms Bucklow stated alongside Ms Stembridge’s highly offensive language, she had to be forcefully removed by the police from the trust’s premise. Ms Bucklow submitted this behaviour was incompatible with a profession which deals with vulnerable members of the public.
232. Ms Bucklow noted the way in which Ms Stembridge behaved was “frightening to people, unpredictable and scary.” **(PRIVATE)**
233. Ms Bucklow noted that the other allegation demonstrated that at times Ms Stembridge was unable to regulate her verbal outbursts. She noted the abusive emails sent to Mr IC. Ms Bucklow noted that Ms Stembridge’s conduct was repeated, and she requested that the panel review the transcripts of previous interim order hearings, order to consider such matters.
234. **(PRIVATE)**
235. **(PRIVATE)** Ms Bucklow submitted for those reasons Ms Stembridge was a direct risk to the public. Further she submitted a decision on impairment should be imposed in order to maintain standards and uphold public confidence.

Panel considerations:

236. The panel considered all the evidence and the submissions. The panel accepted the advice of the legal adviser and was aware that:
- a. The overriding objective of Social Work England is to protect the public, which includes maintaining public confidence in social workers and maintaining professional standards of social workers.
 - b. Whether the facts found amount to misconduct is a matter for the panel's independent judgement.
 - c. There is no statutory definition of misconduct, but the panel had regard to the guidance given 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 standards ordinarily required to be followed by a... practitioner in the particular circumstances’.
 - d. The conduct must be serious and fall well below the required standards (*Nandi v GMC* [2004] EWHC 2317).
 - e. Where the misconduct is in the professional's personal life, then, depending on the circumstances, that may be less undermining of confidence than if it had occurred in their professional life; unless it exhibits a characteristic which are particularly relevant to that professional life (*BSB v Crawford* [2017] EWHC 3101)

- f. A social worker's conduct should be considered in the light of any standards of conduct, performance and ethics or other fitness to practise requirements that were applicable to the social worker at the time of the alleged misconduct.
- g. The test for impairment set out by the court in *Council for Health and Regulatory Excellence v Nursing and Midwifery Council and Grant* [2011] EWHC 927 (Admin) was whether the panel's findings in respect of the practitioner's competence and capability show that the practitioner's fitness to practise is impaired in the sense that they have in the past and/or are liable in the future (a) to put service users at unwarranted risk of harm; (b) to bring the profession into disrepute; (c) to breach one of the fundamental tenets of the profession.
- h. At the impairment stage the tribunal should take account of evidence and submissions that the conduct (i) is easily remediable, (ii) has already been remedied; and (iii) is highly unlikely to be repeated.
- i. The panel should also consider whether Ms Stembridge's fitness to practise is impaired in the sense that a finding of impairment is required to maintain public confidence or proper professional standards.
- j. **(PRIVATE).**

Finding and reasons on misconduct:

237. The panel considered that the proved facts of the allegation amounted to a breach of the following HCPC Standards of Conduct, Performance and Ethics (2016): in particular:

2.1 you must be polite and considerate.

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

238. The conduct also puts Ms Stembridge in breach of the Social Work England Professional Standards (2019), in particular:

5.2 As a social worker, I will not behave in a way that would bring into question my suitability to work as a social worker while at work, or outside work.

239. Further, the panel considered that in respect of paragraph 3.1, 4.1, 4.2 and 4.3 of the allegations, Ms Stembridge was in breach of the Social Work England Professional Standards 2020, in particular:

1.1 Value each person as an individual, recognising their strengths and abilities.

2.1 Be open, honest, reliable and fair.

2.2 Respect and maintain people's dignity and privacy.

2.4 Practise in ways that demonstrate empathy, perseverance, authority, professional confidence and capability, working with people to enable full participation in discussions and decision making.

5.1 Abuse, neglect, discriminate, exploit or harm anyone, or condone this by others.

5.2 Behave in a way that would bring into question my suitability to work as a social worker while at work, or outside of work.

6.7 Cooperate with any investigations by my employer, Social Work England, or another agency, into my fitness to practise or the fitness to practise of others.

240. The panel were satisfied that the proved paragraphs of the allegation amounted to a significant failure by Ms Stembridge to adhere to the standards expected of someone in her position as a registered social worker.
241. In respect of paragraphs 1.1 and 1.2 of the allegations the panel determined that these paragraphs alone were not capable of amounting to misconduct. However, the panel determined that the remaining proved factual particulars amounted to misconduct.
242. The panel noted the impact the Ms Stembridge's conduct had upon Person A, **(PRIVATE)**. The panel considered that Ms Stembridge's inappropriate and aggressive behaviour towards Person A was serious. Person A was clearly frightened by Ms Stembridge's behaviour and Ms Stembridge's conduct resulted in lasting harm to Person A.
243. The panel determined that Ms Stembridge has been abusive towards a number of professionals across differing environments. The panel noted that the evidence establishes that Ms Stembridge has an inability to self-regulate her behaviour and an unwillingness to follow professional guidance. The height of this failure to self-regulate, was demonstrated in respect of paragraph 2 of the allegation, in which Ms Stembridge's conduct resulted in her being restrained by the police and physically remove from the Trusts premises.
244. In respect of paragraphs 1, 3 and 4 of the allegations, the panel noted that Ms Stembridge's language was highly offensive. The panel also considers that Ms Stembridge used abusive language, which is littered with microaggressions. The panel note that Ms Stembridge compared what she considers as unhelpful behaviour by IC as him being "a jobsworth with a personality disorder". The panel further note that much of Ms Stembridge's language was pejorative towards women, including "bimbo", "nasty little slut" and "cunt".
245. The panel was satisfied that members of the public and profession would be shocked at Ms Stembridge's conduct. Not only has her behaviour had a lasting impact on Person A but she has on multiple occasions used highly offensive language including to personnel working for her own regulator.
246. The panel determined that the proved facts within paragraphs 1-4 of the allegation amounted to misconduct.

Finding and reasons on the Health Concern

247. **(PRIVATE)**.

Finding and reasons on current impairment:

248. Having determined that the proved facts amount to misconduct, **(PRIVATE)** the panel considered whether Ms Stembridge's fitness to practise is currently impaired.
249. The panel had regard to the questions posed by Dame Janet Smith in her fifth Shipman report endorsed in the case of Council for Healthcare Regulatory Excellence v Nursing and Midwifery Council and Grant [2011] EWHC 927 Admin. In light of its findings on misconduct the panel concluded that Ms Stembridge had, in the past:
- i. acted so as to put a member of the public at unwarranted risk of harm;
 - ii. brought the profession of social work into disrepute;
 - iii. breached fundamental tenets of the social work profession (in relation to safeguarding the vulnerable);
250. The panel considered that Ms Stembridge's misconduct were capable of remediation. However, Ms Stembridge has failed to acknowledge both the impact and harm that her behaviour has had upon others.
251. There was no evidence to support the fact that Ms Stembridge has accepted or acknowledged her conduct. The panel noted that there was some engagement in the regulatory process however Ms Stembridge declined to participate in the hearing. The panel concluded that Ms Stembridge had not evidenced remediation, for example her efforts to address her behaviour or her inability to self-regulate it.
252. The panel is aware that Ms Stembridge has not practiced as a social worker for a significant period of time and the panel has therefore seen no evidence to support the fact that Ms Stembridge has undertaken any relevant training to address the concerns raised.
253. The panel noted Ms Stembridge has provided no evidence of insight. Ms Stembridge has not meaningfully apologised for her actions, nor has she expressed remorse or regret. There is no evidence that Ms Stembridge has reflected on her conduct and the impact it may have had upon Person A, her former colleagues, healthcare workers, staff working for her regulator or the social work profession as a whole.
254. The panel therefore considered that Ms Stembridge has not demonstrated remediation or insight. Ms Stembridge has had ample opportunity to provide such evidence within a written responses and during the hearing. The panel also noted that Ms Stembridge had the length of some 3-4 years following the allegation to produce such evidence.
255. The panel considered that Ms Stembridge's conduct amounted to a breach of a fundamental tenet of the profession and as such she has brought the profession of social

work into disrepute. Due to these findings, together with an absence of evidenced remediation and limited insight, the panel concluded that there was a high risk of repetition of the misconduct.

256. The panel was satisfied that a finding of impaired fitness to practise was necessary to protect the public. Further, the panel considered that reasonable, well informed, members of the public would be shocked by Ms Stembridge's conduct and the harm caused to Person A. The panel therefore concluded that a finding of impaired fitness to practise was necessary to maintain and promote public confidence in the social work profession.
257. Given that Ms Stembridge's misconduct related to breaches of fundamental tenets of social work, the panel was satisfied that professional standards would not be promoted and maintained by a finding that Ms Stembridge's fitness to practise is not currently impaired, particularly considering the panel's assessment of limited insight, an absence of remediation and meaningful remorse.
258. The panel therefore concluded that, because of Ms Stembridge's misconduct, a finding of impaired fitness to practise was necessary to protect the public, promote and maintain public confidence in the social work profession and declare and uphold proper professional standards.
259. (PRIVATE)
260. (PRIVATE)
261. (PRIVATE)
262. (PRIVATE)
- (PRIVATE)
263. (PRIVATE)
264. (PRIVATE)
265. (PRIVATE)
266. (PRIVATE)
- i.* (PRIVATE)
- ii.* (PRIVATE)
- iii.* (PRIVATE)
267. (PRIVATE)
268. (PRIVATE)
269. (PRIVATE)

Summary of submissions - Sanction:

270. Ms Bucklow, on behalf of Social Work England, submitted that, considering the nature of the misconduct, the appropriate sanction was one of removal from the register. She argued that such a sanction would protect the public and the wider public interest, considering the severity of the misconduct.
271. Ms Bucklow highlighted the mitigating factors in this case, namely Ms Stembridge's **(PRIVATE)** her previous good character. In respect of the aggravating factors, she stated that Ms Stembridge lacked insight and remorse and her conduct caused harm to Person A.
272. Ms Bucklow submitted that it was necessary to impose a sanction that restricted Ms Stembridge's practice, as nothing else would protect the public given the seriousness of the misconduct found. Ms Bucklow argued that, Ms Stembridge's lack of engagement with the regulatory process, and her failures to seek therapy or support would mean conditions of practice would not be workable and proportionate.
273. Ms Bucklow argued that a suspension would not provide adequate protection given the nature and extent of the concerns. Ms Bucklow noted that Ms Stembridge had not practiced since 2016, and had been subject to a suspension since 2020, without demonstrating any change to her conduct. She submitted that Ms Stembridge has shown no insight or remorse in that period of time.
274. Ms Bucklow referred to Ms Stembridge having an entrenched attitudinal problem, **(PRIVATE)**.
275. Ms Bucklow submitted that Ms Stembridge should be removed from the register on public interest grounds. She submitted her conduct was fundamentally incompatible with the role of a social worker. Ms Bucklow further noted Ms Stembridge had shown no insight or remediation following the previous 3 years of suspension and therefore there was no reasonable route for her to return back to practice unrestricted.
276. Ms Bucklow noted public confidence in the regulator also required Ms Stembridge to be removed from the register. She submitted public confidence would be undermined if a lesser sanction were imposed.

Determination and reasons – Sanction

277. The panel accepted the advice of the legal adviser, that it must again pursue the overarching objective when exercising its functions. The panel must apply the principle of proportionality, balancing Ms Stembridge's interests with the public interest. The purpose of a sanction is not to be punitive, although a sanction imposed may have a punitive effect. The panel considered the least restrictive sanction first and then moved up the sanctions scale as appropriate. The panel had regard to the Social Work England Impairment and Sanctions Guidance, published in December 2022, together with its determination of grounds and impairment.
278. The panel reminded itself that it had concluded that Ms Stembridge's fitness to practise was found to be impaired, due to her misconduct **(PRIVATE)**.
279. In respect of the aggravating features of this case, the panel noted that Ms Stembridge's conduct presented a repeated pattern of inappropriate and offensive behaviour, which was

significant in duration. The panel further note that Person A had suffered harm as a result of Ms Stembridge's conduct, which has had a lasting impact.

280. The panel considered its findings in respect of Ms Stembridge's limited insight and the absence of remediation or meaningful remorse. Further, the panel found an aggravating feature of the case was that Ms Stembridge's abusive language was littered with microaggressions. The panel noted its previous findings in respect of Ms Stembridge's language being pejorative towards women, including language such as "bimbo", "nasty little slut" and "cunt" and noted the labelling of IC as "a jobsworth with a personality disorder".
281. In relation to mitigating features, the panel noted that Ms Stembridge was of good character. **(PRIVATE)** The panel also took account of Ms Stembridge's positive personal testimonials and historic workplace reference.
282. The panel considered that taking no action, or issuing advice or a warning, would not adequately reflect the serious nature of Ms Stembridge's misconduct. These outcomes would not adequately protect the public, as they would not restrict Ms Stembridge's practice. The panel has assessed there to be a high risk of repetition, and so considered that the public could not currently be adequately protected unless Ms Stembridge's practice is restricted. Further, taking no action, or issuing advice or a warning, would not maintain public confidence in the profession or promote proper professional standards, considering the panel's finding that Ms Stembridge breached fundamental tenets of the profession and caused harm to Person A.
283. The panel next considered whether a conditions of practice order would be sufficient to protect the public and wider public interest. The panel, however, noted paragraph 114 and 128 of the Impairment and Sanctions Guidance, which states:

114. Conditions of practice may be appropriate in cases where (all of the following):

- the social worker has demonstrated insight*
- the failure or deficiency in practice is capable of being remedied*
- appropriate, proportionate, and workable conditions can be put in place*
- decision makers are confident the social worker can and will comply with the conditions*
- the social worker does not pose a risk of harm to the public by being in restricted practice*

(PRIVATE)

- (PRIVATE)**
- (PRIVATE)**

284. **(PRIVATE)**

285. The panel noted its findings in relation to insight and determined that it could not be confident that Ms Stembridge could or would comply with any conditions imposed. The panel

noted that Ms Stembridge was not currently working as a social worker. The panel was satisfied that workable conditions could not be formulated to adequately protect the public. Further, considering the serious misconduct **(PRIVATE)** the panel was satisfied that conditions would not be sufficient to maintain public confidence, or to promote proper professional standards.

286. The panel went on to consider making a suspension order. The panel consider paragraphs 137-138 of the Impairment and Sanctions Guidance, which state as follows:

“137. Suspension may be appropriate where (all of the following):

- *the concerns represent a serious breach of the professional standards*
- *the social worker has demonstrated some insight*
- *there is evidence to suggest the social worker is willing and able to resolve or remediate their failings*

138. Suspension is likely to be unsuitable in circumstances where (both of the following):

- *the social worker has not demonstrated any insight and remediation*
- *there is limited evidence to suggest they are willing (or able) to resolve or remediate their failings”*

287. The panel considered that the facts proved involved serious breaches of the professional standards, as set out in its earlier findings.

288. The panel has found that there was no insight demonstrated by Ms Stembridge into her misconduct. Ms Stembridge’s conduct resulted in harm to Person A and led to a significant number of professionals being subjected to abusive and gratuitous language. Ms Stembridge has however failed to accept or acknowledge the impact of her conduct or demonstrate any meaningful remorse. Ms Stembridge has also failed demonstrate any insight or remorse into the adverse impact that her actions may have had on the social work profession or the public perception thereof.

289. **(PRIVATE)**

290. **(PRIVATE)**

291. Further, the panel have seen no evidence of an intention on the part of Ms Stembridge’s to take steps to resolve or remediate her failings.

292. The panel considered paragraph 148 of the SG, which states:

“148. A removal order must be made where the decision makers conclude that no other outcome would be enough to (do one or more of the following):

- *protect the public*
- *maintain confidence in the profession*

- maintain proper professional standards for social workers in England”

293. The panel considered that Ms Stembridge’s misconduct has caused significant harm to Person A. Her misconduct resulted in her being forcibly removed from her former employer’s premises by the police, and she has subsequently on numerous occasions verbally abused a variety of professionals. The panel concluded that such misconduct raises serious concerns about Ms Stembridge’s suitability as a social worker, and her suitability to support vulnerable children and adults.
294. The panel drew the above conclusions from the lack of insight, remorse or attempts to remediate during or following the 3 years of suspension. This was further supported by Ms Stembridge’s repeated use of offensive language, inappropriate outbursts and micro aggressions in communications with her regulator and other professionals.
295. The panel concluded that Ms Stembridge’s repeated pattern of abusive behaviours was fundamentally incompatible with registration and, on current information, was behaviour which had not been remediated.
296. The panel recognised the impact a removal order would have on Ms Stembridge and took this into account. However, it considered the public interest outweighed Ms Stembridge’s interests. The panel therefore concluded that the only sanction which achieved the aim of public protection in all three limbs was a removal order, with no lesser sanction being sufficient.

Interim Order

297. In light of its findings on sanction, the panel next considered an application by Ms Bucklow for an Interim Suspension Order to cover the appeal period before the final order becomes effective.
298. Ms Bucklow submitted that, in view of its having made a removal order, an interim suspension order should be imposed. Ms Bucklow submitted that the interim order could be for 18 months.
299. The panel was advised that it had the power to make any interim order it considered necessary to protect the public, or in the best interests of the social worker. The panel was mindful of its earlier finding that it had found that nothing less than a removal order met its findings of impairment. In that case, the panel decided that it would be wholly incompatible with those earlier findings to not protect the public with an interim order to cover the appeal period, or the period until any appeal is resolved.
300. The panel was mindful that it could make any interim order. It considered that, in light of its findings, it was necessary to make an Interim Suspension Order. Since any appeal, if made, might take a long time to resolve, the panel decided to make the interim order for 18 months.
301. Accordingly, the panel concluded that an Interim Suspension Order is necessary for the protection of the public. When the appeal period expires, this interim order will come to an

end unless an appeal has been filed with the High Court. If there is no appeal, the final order of a removal order shall take effect when the appeal period expires.

Right of Appeal:

302. Under Paragraph 16(1)(a) of Schedule 2 of the regulations, the social worker may appeal to the High Court against the decision of adjudicators:
- a. the decision of adjudicators:
 - i. to make an interim order, other than an interim order made at the same time as a final order under Paragraph 11(1)(b),
 - ii. not to revoke or vary such an order,
 - iii. to make a final order.
 - b. the decision of the regulator on review of an interim order, or a final order, other than a decision to revoke the order.
303. Under Paragraph 16(2) of Schedule 2 of the regulations an appeal must be filed before the end of the period of 28 days beginning with the day after the day on which the social worker is notified of the decision complained of.
304. Under Regulation 9(4) of the regulations this order may not be recorded until the expiry of the period within which an appeal against the order could be made, or where an appeal against the order has been made, before the appeal is withdrawn or otherwise finally disposed of.
305. This notice is served in accordance with Rules 44 and 45 of the Social Work England Fitness to Practice Rules 2019 (as amended).

Review of final orders:

306. Under Paragraph 15(1), 15(2) and 15(3) of Schedule 2 of the regulations:
- i. 15(1) The regulator must review a suspension order or a conditions of practice order, before its expiry
 - ii. 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
 - iii. 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

307. Under Rule 16(aa) of the rules a social worker requesting a review of a final order under Paragraph 15 of Schedule 2 must make the request within 28 days of the day on which they are notified of the order.

The Professional Standards Authority:

308. Please note that in accordance with section 29 of the National Health Service Reform and Health Care Professions Act 2002, a final decision made by Social Work England's panel of adjudicators can be referred by the Professional Standards Authority ("the PSA") to the high court. The PSA can refer this decision to the High Court if it considers that the decision is not sufficient for the protection of the public. Further information about PSA appeals can be found on their website at: <https://www.professionalstandards.org.uk/what-we-do/our-work-with-regulators/decisions-about-practitioners>