

Social worker: Kevin Glen

Registration number: SW25153

Fitness to Practise

Final Order Review Meeting

Date of Hearing: 05 July 2023

Hearing venue: Remote Meeting

Final order being reviewed:

Conditions of practice order – (expiring 25 August 2023)

Hearing Outcome: Impose a new order namely removal order with effect from 25 August 2023

Introduction and attendees:

1. This is the third review of a final conditions of practice order, originally imposed for a period of 12 months by an accepted disposal between Mr Glen and Social Work England on 28 July 2020. At the first substantive order review on 23 July 2021, the conditions of practice order was varied and extended by 12 months. At the second review on 12 July 2022, the conditions of practice order was varied and extended by 12 months.
2. Mr Glen did not attend and was not represented.
3. Social Work England was represented by Capsticks LLP and their written submissions are set out within the notice of hearing letter dated 5 June 2023.
4. The adjudicators (hereinafter referred to as “the panel”) and other people present at the meeting are set out in the table below.

Adjudicators	Role
Catherine Boyd	Chair
Tracey Newson	Social worker adjudicator

Hearings team/Legal adviser	Role
Hannah Granger	Hearings officer
Sam Harvey	Hearings support officer
Natalie Amey-Smith	Legal adviser

Service of notice:

5. The panel had careful regard to the documents contained in the final order review service bundle as follows:
 - A copy of the notice of the final hearing review dated 05 June 2023 and addressed to Mr Glen at his electronic and residential addresses which he provided to Social Work England.
 - An extract from the Social Work England Register as of 05 June 2023 detailing Mr Glen’s registered addresses.
 - A copy of a signed statement of service, on behalf of Social Work England, confirming that on 07 June 2023 the writer sent by next day special delivery and electronic mail to Mr Glen at the addresses referred to above: notice of hearing and enclosures.
 - A copy of the Royal Mail Track and Trace Document delivery document indicating ‘signed for by GLEN’ delivery to Mr Glen on Tuesday 06 June 2023 at 11:10.
6. The panel accepted the advice of the legal adviser in relation to service of notice.
7. Having had regard to rule 16 and all of the information before it in relation to the service of notice, the panel was satisfied that notice of this hearing had been served on Mr Glen in

accordance with rules 44 and 45 of Social Work England's Fitness to Practise Rules (as amended) ("the rules").

Proceeding with the final order review as a meeting and in the absence of Mr Glen:

8. The notice of final order review informed Mr Glen that the review would take place as a meeting. The notice stated:

'If you would like to attend before the adjudicators in order to make oral submissions, please confirm your intention by no later than 4pm on 19 June 2023. Unless we hear from you to the contrary, we shall assume that you do not want to attend a hearing and Social Work England may decide to deal with the review as a meeting. If Social Work England do hold a meeting, the adjudicators will be provided with a copy of this letter setting out Social Work England's submissions and a copy of any written submissions you provide.'

9. On 19 June 2023, Mr Glen emailed the Social Work England Case Review Officer stating:

'I am currently retired & will be unable to attend your planned review as I am also away.'

10. On 21 June 2023, the Social Work England Case Review Officer emailed Mr Glen acknowledging his email of 19 June and asking if he sought to postpone the hearing. Information about how to make a postponement application was provided in the email.

11. On 29 June 2023, the Social Work England Case Review Officer sent a further email to Mr Glen confirming that as no postponement application had been made, the review would be dealt with as a meeting.

12. No further correspondence has been received from Mr Glen since his email dated 19 June 2023.

13. The panel heard and accepted the advice of the legal adviser in relation to the factors it should take into account when considering whether it was fair and appropriate to proceed with the review in the absence of Mr Glen. This included reference to the cases of *R v Jones [2003] UKPC*; *General Medical Council v Adeogba [2016] EWCA Civ 162*. The panel also

took into account Social Work England's guidance '*Service of notices and proceeding in the absence of the social worker*'. The panel heard and accepted the advice of the legal adviser with regard to rule 16(c) of the rules which provides:

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

14. The panel was satisfied that it would be fair and appropriate to conduct the review in the form of a meeting in accordance with rule 16(c) and in the absence of Mr Glen, on the basis that:

- Mr Glen has had an opportunity to make submissions within the time periods specified under rule 16(b) of the rules.

- Mr Glen did not attend at either of the last two reviews and whilst he has engaged with his Case Review Officer, the engagement is minimal.
- Mr Glen was informed about the process to apply for a postponement but has not done so. Given Mr Glen's previous lack of attendance, the panel did not consider that an adjournment would result in Mr Glen's future attendance, and it would therefore not be in the public interest to adjourn the meeting.
- The continuation of the meeting was important to consider the protection of the public.

Review of the current order:

15. This final order review hearing falls under the Transitional and Savings Provisions (Social Workers) Regulations 2019 and as a result the review will be determined in accordance with Paragraph 15(1) of Schedule 2 of The Social Workers Regulations 2018 (as amended) and Social Work England's Fitness to Practise Rules 2019 (as amended).

16. The current order is due to expire on 25 August 2023.

The allegations giving rise to the accepted disposal which resulted in the imposition of the final order were as follows:

'1. You failed to make adequate records in relation to risk assessments and care plans, regarding service users on your caseload, which potentially left young people at risk of harm, particularly if they were in crisis.

The matters set out at 1 above constitutes misconduct.

By reason of your misconduct, your fitness to practise is impaired.'

17. Mr Glen worked for Norfolk and Suffolk NHS Foundation Trust ("the Trust") under a Section 75 arrangement – where local health and social care services fully integrate to provide a health and social care service under a unified management structure.

18. Therefore, while some of the policies and procedures that applied to him while he was practising as an Approved Mental Health Professional ("AMHP") were from Suffolk County Council (the Council), most of the relevant policies and procedures were those of the Trust. Mr Glen worked part-time in a small integrated health and social care team, for young people with mental health needs and had also been on the AMHP rota.

19. Mr Glen was removed from clinical duties in May 2018 due to concerns regarding the quality of his recording, specifically with regard to care plans and risk assessments.

20. In June 2018, as part of an internal investigation, there was a case file audit of the service users supported by Mr Glen. Concerns were identified on all the cases allocated to him and included: inadequate risk assessments which were not comprehensive or up to date, lack of crisis plans, inadequate care plans and inadequate contact with the young people requiring the service.

21. Specifically, eight of his nine allocated cases were identified in which care plans and risk assessments were inadequate. The inadequacies included care plans lacking key information; risk assessments containing little information to understand the level of risk or how the risks could be effectively managed; and in some cases, no risk assessment being completed at all.
22. It was the view of Mr Glen's managers, that should a colleague need to respond to one of his clients in a crisis, there was insufficient information, particularly due to the deficiency in crisis and contingency plans, to assist them to respond appropriately and that this left his clients at risk of harm.
23. Mr Glen was dismissed following a disciplinary hearing in his absence for gross misconduct on 29 January 2019.
24. Mr Glen's case was referred to the Social Work England Case Examiners, who recommended that the case could proceed by way of an accepted disposal of a conditions of practice order for 12 months. On 27 July 2020, Mr Glen agreed to the proposal to resolve the matter by way of the recommended conditions. He confirmed that he had read the Case Examiners' decision and the further information about accepted disposal guidance document; he understood the terms of the proposed fitness to practice case and accepted them in full. In agreeing to the conditions, Mr Glen accepted that his fitness to practise (was at the date of accepted disposal) impaired and he was aware that the decision would be published.

The previous final order review panel on 12 July 2022 determined the following with regard to impairment:

25. *'In considering the question of current impairment, the panel undertook a comprehensive review of the final order in light of the current circumstances. It took into account the decision of the previous panels. However, it exercised its own judgement in relation to the question of current impairment.'*
26. *The panel had regard to all of the documentation before it, including the decision and reasons of the case managers and previous review panel. The panel also took account of the submissions made on behalf of Social Work England.*
27. *The panel heard and accepted the advice of the legal adviser. In reaching its decision, the panel was mindful of the need to protect the public and the wider public interest in declaring and upholding proper standards of behaviour and maintain public confidence in the profession.*
28. *The panel noted that the case examiners and first review panel found that Mr Glen had limited insight and had demonstrated insufficient remediation into his misconduct. Both the original panel and the first review panel provided clear and reasonable guidance as to how he could seek to demonstrate developing insight and remediation.*
29. *The reflection submitted by Mr Glen in November 2021 demonstrated some developing insight but failed to adequately detail why he had failed to adequately undertake his duties and specifically when he would do to prevent repetition. There was insufficient reflection*

upon the critical importance of record keeping and instead focused on an issue, namely secondary trauma, that was unrelated to the regulatory concerns. The panel was also extremely concerned with Mr Glen's efforts to minimise his failings, describing them as "undesirable" when in fact they were wholly in appropriate and placed vulnerable service users at risk of harm. He focused on how his actions may have affected his relations with service users, rather than the safeguarding consequences. He failed to outline how he could have acted differently.

- 30. Since he submitted those reflections, he appears to have disengaged with proceedings. His only communication since has been in April 2022 to state that he is not working as a social worker. He has therefore failed to demonstrate that he has adequately developed his insight or undertaken further adequate remediation. He has failed to demonstrate significant progress since the first review.*
- 31. In light of the lack of evidence of adequate insight and remediation, the panel found that there remains a substantial risk that of repetition of his misconduct and that a finding that his fitness to practice is impaired therefore remains necessary to protect the public.*
- 32. Additionally, Mr Glen had failed to demonstrate that he had updated his skills and knowledge. There is CPD available that could be undertaken remotely, such as legal updates relevant to his previous AMPH role. However, he has not provided evidence of completing relevant CPD. This is all the more concerning given that Mr Glen has not practiced in social work for over three years. The panel would therefore have expected that he undertook relevant training and learning to minimise that de-skilling, but noted that there was insufficient evidence.*
- 33. Further, in light of Mr Glen's lack of evidenced insight and remediation, together with his lack of engagement in these review proceedings, the panel concluded that members of the public would be deeply concerned if his fitness to practise was not found to be impaired and that such a finding would undermine public confidence in the profession. Such a finding would similarly fail to uphold professional standards.'*

The previous final order review panel on 12 July 2022 determined the following with regard to sanction:

- 34. 'Having found Mr Glen's fitness to practise is currently impaired, the panel then considered what, if any, sanction it should impose in this case.*
- 35. The panel considered the submissions made on behalf of Social Work England. The panel also took into account the Sanctions Guidance published by Social Work England.*
- 36. The panel was mindful that the purpose of any sanction is not to punish Mr Glen, but to protect the public and the wider public interest. The public interest includes maintaining public confidence in the profession and Social Work England as its regulator and by upholding proper standards of conduct and behaviour. The panel applied the principle of*

proportionality by weighing Mr Glen's interests with the public interest and by considering each available sanction in ascending order of severity.

No Action

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

Advice or Warning

38. *The panel then considered whether to issue advice or a warning. The panel noted that neither of these sanctions would restrict Mr Glen's ability to practise and is therefore not appropriate where there is a current risk to public safety. Mr Glen's misconduct had the potential to have significantly adverse consequences and therefore some restriction on his practise is required. Therefore, the panel concluded that issuing advice or a warning would be inappropriate and insufficient to meet the public interest.*

Conditions of Practice Order

39. *The panel went on to consider a conditions of practice order. The panel reminded itself of the nature of Mr Glen's misconduct. It concluded that the varied conditions proposed by Social Work England are comprehensive and protect the public, as they ensure adequate supervision and the requirement for him to undertake reflection. Further, the panel was satisfied that the wider public interest was best served by giving Mr Glen a further opportunity to develop insight and remediation so that he can return to social work practise and serve the public. The panel considered that, at this stage, it was in the public interest to provide him with this opportunity rather than to prevent him from working as a social worker.*
40. *Mr Glen must understand that if he fails to take the opportunity afforded to demonstrate developing insight and remediation, the next review panel may determine that it is in the interests of the public to either suspend him or remove him from the social work register. The reason for this is that there is no public interest in maintaining a social worker upon the register if he is not prepared to adequately address regulatory concerns so as to reduce the risk of repeating behaviour that could foreseeably harm to vulnerable service users. Further, the longer time progresses, the more deskilled Mr Glen becomes.*
41. *The panel therefore varied and extended the conditions of practice for a further 12 months, as follows:*

1. You must notify Social Work England within 7 days of any professional appointment you accept or are currently undertaking and provide the contact details of your employer,

agency or any organisation with which you have a contract or arrangement to provide social work services, whether paid or voluntary.

2. You must allow Social Work England to exchange information with your employer, agency or any organisation with which you have a contract or arrangement to provide social work or educational services, and any reporter or workplace supervisor referred to in these conditions.

3.

a. At any time you are providing social work services, which require you to be registered with Social Work England, you must agree to the appointment of a reporter nominated by you and approved by Social Work England. The reporter must be on Social Work England's register.

b. You must not start or continue work until these arrangements have been approved by Social Work England.

4. You must provide reports from your reporter to Social Work England every 3 months, the first being within 28 days of obtaining a social work post, and at least 14 days prior to any review and Social Work England will make these reports available to any workplace supervisor referred to in these conditions on request.

5. You must inform Social Work England within 7 days of receiving notice of any formal disciplinary proceedings taken against you from the date these conditions take effect.

6. You must inform Social Work England within 7 days of receiving notice of any investigations or complaints made against you from the date these conditions take effect.

7. You must inform Social Work England if you apply for social work employment / self-employment (paid or voluntary) outside England within 7 days of the date of application.

8. You must inform Social Work England if you are registered or subsequently apply for registration with any other UK regulator, overseas regulator or relevant authority within 7 days of the date of application [for future registration] or 7 days from the date these conditions take effect [for existing registration].

9.

a. At any time you are employed, or providing social work services, which require you to be registered with Social Work England, you must place yourself and remain under the close supervision of a workplace supervisor nominated by you, and agreed by Social Work England. The workplace supervisor must be on Social Work England's register.

b. You must not start or continue to work until these arrangements have been approved by Social Work England.

10. You must provide reports from your workplace supervisor to Social Work England every 3 months, the first being within 28 days of obtaining a social work post, and at least 14 days prior to any review, and Social Work England will make these reports available to any reporter referred to in these conditions on request.

11.

a. You must work with your workplace supervisor to formulate a Personal Development Plan specifically designed to address the following areas:

- Development and recording of care plans***
- Development and recording of risk assessments.***

b. You must provide a copy of your Personal Development Plan to Social Work England within 8 weeks of starting employment and provide an updated copy 28 days prior to any review.

12. You must re-read Social Work England's 'Professional Standards' (July 2019), and provide a further, detailed written reflection 3 months after these conditions take effect. Your written reflection should demonstrate:

- Full insight into your practice shortcomings, including an understanding of what happened, why it happened, the risks to service users (either potential harm or actual harm), and how it could and should have been avoided;***
- the importance of maintaining public confidence in the social work profession; and***
- what you will do differently in the future to ensure that the accepted social work standards are met.***

13. You must not supervise or be responsible for the work of any other social worker or student social worker.

14. You must provide a written copy of your conditions, within 7 days from the date these conditions take effect, the following parties confirming that your registration is subject to the conditions listed at (1) to (13), above:

- Any organisation or person employing or contracting with you to undertake social work services whether paid or voluntary.***

- ***Any locum, agency or out-of-hours service you are registered with or apply to be registered with in order to secure employment or contracts to undertake social work services whether paid or voluntary (at the time of application).***
- ***Any prospective employer who would be employing or contracting with you to undertake social work services whether paid or voluntary (at the time of application).***
- ***Any organisation, agency, or employer where you are using your social work qualification/knowledge/skills in a non-qualified social work role, whether paid or voluntary (at the time of application).***

You must forward written evidence of your compliance with this condition to Social Work England within 14 days from the date these conditions take effect

15. You must permit Social Work England to disclose the above conditions (1) to (14) to any person requesting information about your registration status.'

Social Work England submissions:

42. The panel received written submissions from Social Work England set out in the notice of hearing letter dated 05 June 2023. The letter set out the following submissions:

'Social Work England invite the Panel to impose a Removal order.

The Social Worker accepted a substantive Conditions of Practice order on 27 July 2020 but has subsequently made it clear that they have no intention to return to working as a social worker and has therefore not fully engaged with those conditions.

It would be inappropriate to continue to review and continue substantive orders knowing that the Social Worker does not intend to return to practice.

Despite indications that the Social Worker would like voluntary removal from the register, no application has been received in the six months since he was sent the relevant information on how to apply.

It would therefore now be appropriate to direct removal from the social work register.'

Social worker submissions:

43. Mr Glen did not attend the hearing, nor did he provide written submissions prior to the hearing for the panel's consideration. However, the panel was provided with copies of email exchanges between Mr Glen and Social Work England which have taken place since the last review held on 12 July 2022. The panel was also provided with copies of two telephone attendance notes setting out details of conversations between Mr Glen and the Social Work England Case Review Officer on 31 January 2023 and 16 February 2023. In summary the following information was provided by or provided to Mr Glen during those communications:

- 7-day warning letter sent to Mr Glen on 14 December 2022 for failure to comply with condition 12.
- Email message from Mr Glen, dated 30 January 2023. asking for a call from the Case Review Officer.
- Telephone conversation dated 31 January 2023. Mr Glen explained that his case was progressing, and he was complying with his conditions, as he wanted to stay on Social Work England's register 'just in case'. Mr Glen said that a hearing took place which he did not know about, explaining that he receives a lot of spam emails, and he thought the email he received from Social Work England was spam, hence why he missed the last hearing. Mr Glen said that the outcome of the hearing is lengthy, which he found frightening and made him feel anxious. He said that seven years have passed since his case was opened, and this will be the eighth year. Mr Glen said that BASW have said that they will put his case forward for voluntary removal. He said that he thinks he does want to be removed from the register, as his case has been going on so long. Mr Glen was reminded that his CPD evidence is still overdue, and it would be beneficial if he submits the outstanding evidence as soon as possible.
- Telephone conversation dated 16 February 2023. When asked about his conditions of practice order, Mr Glen said he was going to send an email about that. He did not confirm his position but said that he would send an email (on 16 or 17 February 2023) with regards to 'retiring'. He was advised that if he could confirm his position in writing that would be great. He confirmed that he would be getting in touch via email with regards to voluntary removal and his fitness to practise case. Mr Glen was advised he would be getting a new Case Review Officer.
- On 31 January 2023 an email was sent to Mr Glen chasing his outstanding CPD for submission by 8 February 2023.
- On 3 March 2023, an email was sent to Mr Glen chasing his written reflection as per condition 12 of his conditions of practice order.
- On 13 March 2023, Mr Glen emailed Social Work England. The email mainly repeated what Mr Glen had said during the telephone conversation on 31 January 2023. However, he added the following:

'It can all seem more punitive than supportive affecting isolated workers maybe more so .

I realise I was not suspended .With recruitment & retention issues in the profession & possible increased interim suspension orders one can question the input of SWEngland.

Working frontline high stress & high caseloads for years takes its toll requiring resilience. But there comes a point . Continuing with the process would seem not to be in my best interests. Consequently I withdraw this being a sad end to 40odd yrs

service above the call of duty averaging 2,000 + recorded and unpaid & untaken time in lieu hours the last 20yrs.'

- An acknowledgement letter was sent to Mr Glen on 14 March 2023 providing him with further information on the voluntary removal process.
- On 30 March 2023, Mr Glen emailed to say that he thought BASW worked on the voluntary removal process with Social Work England. He enquired about his details being open for the public to see on the Social Work England website. He asked whether if he disengaged the issues would continue to be on the website but with voluntary removal the issues would be removed.
- A chasing email was sent to Mr Glen on 31 March 2023 enquiring about his position and giving him more information about the publications policy. Mr Glen replied asking again about whether the issues could be viewed by the public on the website.
- On 4 April 2023, a further email was sent to Mr Glen providing him with information about voluntary removal and the publications policy.

Panel decision and reasons on current impairment:

44. In considering the question of current impairment, the panel undertook a comprehensive review of the final order in light of the current circumstances. It took into account the decision of the previous panel. However, it has exercised its own judgement in relation to the question of current impairment.
45. The panel took into account Social Work England's '*Impairment and sanctions guidance*' dated 19 December 2022.
46. The panel received and accepted the advice of the legal adviser, which it incorporated into the decision set out below.
47. It reminded itself of the importance of a review hearing, and it followed the sequence of decision making set out by Blake J in *Abrahaem v General Medical Council* [2008] EWHC 183:
 - Address whether the fitness to practise is impaired before considering conditions.
 - Whether all the concerns raised in the original finding of impairment have been sufficiently addressed to the panel's satisfaction.
 - In practical terms there is a persuasive burden on the practitioner at a review to demonstrate that he or she has fully acknowledged why past professional performance was deficient and through insight, application, education, supervision, or other achievement sufficiently addressed the past impairments.
48. The panel had regard to the over-arching objective of protecting the public which involves the pursuit of the following objectives:
 - To protect, promote and maintain the health, safety, and well-being of the public.
 - To promote and maintain public confidence in the profession.

- To promote and maintain proper professional standards of conduct for members of the profession.

49. It also bore in mind that in deciding whether Mr Glen's fitness to practise is still impaired it should follow the approach of Dame Janet Smith endorsed by the High Court in *CHRE v NMC and P Grant [2011] EWHC 927 (Admin)*:

50. Do our findings of fact in respect of the (registrant's) misconduct, deficient professional performance, adverse health, conviction, caution, or determination show that his/her fitness to practise is impaired in the sense that s/he:

- Has in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm; and/or
- has in the past brought and/or is liable in the future to bring the ... profession into disrepute; and/or
- has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession; and/or
- ...

51. The panel first considered whether Mr Glen's fitness to practise remains impaired. It kept in mind that there had already been a finding of impairment and asked itself whether Mr Glen had demonstrated that he had taken sufficient steps to allay the concerns of the previous panel.

52. The panel concluded that Mr Glen's fitness to practise remains impaired, having regard to both the personal and the public interest for the same reasons as the previous reviewing panel. Mr Glen has only partially engaged with Social Work England's Case Review Team, has taken no steps towards compliance with the conditions of practice order, and has not provided any evidence for this review as suggested by the last reviewing panel.

53. The last reviewing panel decision set out that Mr Glen '*must understand that if he fails to take the opportunity afforded to demonstrate developing insight and remediation, the next review panel may determine that it is in the interests of the public to either suspend him or remove him from the social work register.*' Despite this, Mr Glen has not provided any evidence for this panel to review. The panel has no information in relation to Mr Glen's reflections on the concern, no evidence of insight from him to say how he could have acted differently, and no evidence of remediation including how he has updated his skills and knowledge. Mr Glen has also failed to comply with condition 12, by having not provided a written reflective piece which was due by November 2022.

54. In the circumstances, the panel concluded that there is a significant ongoing risk of repetition of misconduct. The panel noted that the misconduct set out in the agreed disposal was serious and wide-ranging with potential risk of harm to service users who had complex and multiple vulnerabilities. The panel concluded that there has been no change

that would reduce the risk of repetition since the last review, and that there is an ongoing risk of harm to members of the public.

55. Further, in light of Mr Glen's lack of evidenced insight and remediation, together with his lack of constructive engagement in these review proceedings, the panel concluded that a failure to find Mr Glen impaired would undermine public confidence in the profession and the regulator.

Decision and reasons on sanction:

56. Having found Mr Glen's fitness to practise is currently impaired, the panel then considered what, if any, sanction it should impose in this case. The panel had regard to the submissions made, along with all the information before it, and accepted the advice of the legal adviser having particular regard to the Social Work England '*Sanctions*' and guidance previously mentioned in this decision.
57. The panel kept in mind that sanction is a matter for its own independent judgment, and that the purpose of a sanction is not to punish Mr Glen but to protect the public.
58. It reminded itself that the protection of the public includes not only maintaining the health, safety, and well-being of the public but also maintaining public confidence in the profession and promoting and maintaining proper professional standards of conduct for members of the profession.
59. Furthermore, a sanction must be proportionate, so that any order that it makes should be the least restrictive order that would suffice to protect the public and the public interest.
60. The panel concluded that the deficiencies identified with Mr Glen's practice continue to have the potential to have wide-ranging adverse consequences for service users and some restriction on his practice is required. Therefore, the panel concluded that options that would not restrict practice would be inappropriate and insufficient to meet the public interest.
61. The panel considered whether the current conditions of practice order should be extended for a further period of time. Although the deficiencies identified with Mr Glen's practice are potentially capable of being remedied, Mr Glen has not taken any steps towards compliance with the conditions since November 2021 when he provided a reflective piece. He has failed to comply with condition 12 which was to provide a reflective piece by November 2022. He has not explained why he has failed to do so, which suggests that this is a deliberate failure to comply. Mr Glen's engagement with Social Work England has been limited since the accepted disposal in 2020, despite Social Work England providing him with helpful, supportive information, and further opportunities to encourage him to engage. There was no material before the panel to indicate that his position will change, in fact, he appears, from the limited information he has provided, to be retired and considering voluntary removal. As a result of the above, the panel was not satisfied that Mr Glen is willing to and capable of complying with conditions of practice. The panel therefore decided that there would be no merit in extending the current conditions of practice order.

62. The panel carefully considered the option of imposing a suspension order. Whilst the panel acknowledged that the Case Examiners and the first review panel had found Mr Glen had limited insight and had demonstrated some remediation into his misconduct, neither were sufficient to mitigate the risks identified to the public. Both the Case Examiners and the first review panel provided clear and reasonable guidance as to how Mr Glen could seek to demonstrate developing insight and remediation, and this was reiterated by the second reviewing panel. Despite this Mr Glen appears to have disengaged with the process of seeking to address his failings. The panel had no evidence to suggest Mr Glen is willing and able to resolve or remediate his failings, with the last suggestion of this being in November 2021, which is over 18 months ago. His failure to constructively engage appears entirely consistent with his indication that he is retiring and does not wish to return to social work. The panel further noted that shortly after the initial referral of these matters to the HCPC in July 2019, Mr Glen told them that he considered himself to have retired.
63. The panel considered that Mr Glen has been given a full opportunity to demonstrate that he is willing to remediate the deficiencies in his practice. He has not suggested that there have been circumstances or barriers preventing him from taking steps to keep his knowledge and skills up to date or seeking a suitable position as a social worker to work under the conditions of practice over the last three years. There was no suggestion or indication in his recent email dated 19 June 2023 that he now wishes to engage with his regulator and take steps to remediate.
64. In the circumstances, the panel decided that there was little prospect that if the panel were to impose a suspension order, Mr Glen would engage with Social Work England or provide evidence for a review hearing. In the panel's judgment the imposition of a suspension order would serve no purpose. It is not in the public interest for the panel to impose a suspension order in circumstances where there is no realistic prospect that Mr Glen will constructively engage with his regulator. The panel concluded that a suspension order would not be appropriate or sufficient to meet the public interest.

Impose a new order namely removal order with effect from the expiry of the current order:

Removal order

65. The panel was satisfied it could consider that a removal order was available to the panel as Mr Glen's fitness to practise was originally found impaired on the basis of misconduct.
66. The panel noted that a removal order is a sanction of last resort where there is no other means of protecting the public or the wider public interest. The panel took the view that a removal order would be appropriate because Mr Glen's fitness to practise remains impaired, but he is not able to or does not wish to remediate the deficiencies in his practice. The Sanctions Guidance states that a removal order may be appropriate for '*social workers who are unwilling and/or unable to remediate (for example, where there is clear evidence that they do not wish to practise as a social worker in the future)*'. In this case Mr Glen had previously given an indication that he had no desire to return to social work and he has not

been employed as a social worker since he was dismissed from his role in January 2019. His response to the conditions of practice order since its imposition in July 2020 also indicates that he is unwilling or unable to remediate. There was no evidence before the panel to indicate that Mr Glen would oppose his removal from the register, to the contrary, there is suggestion in his emails that he seeks voluntary removal in any event.

67. The panel concluded that a removal order is the appropriate and proportionate order.

Right of appeal:

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

- a. the decision of adjudicators:
 - i. to make an interim order, other than an interim order made at the same time as a final order under paragraph 11(1)(b),
 - ii. not to revoke or vary such an order,
 - iii. to make a final order,
- b. the decision of the regulator on review of an interim order, or a final order, other than a decision to revoke the order.

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

70. Under Paragraph 15(1A) of Schedule 2 of The Social Workers Regulations 2018 (as amended), where a social worker appeals against a decision made under sub-paragraph (1), the decision being appealed takes effect from the date specified in that sub-paragraph notwithstanding any appeal against that decision.

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

The Professional Standards Authority

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

<https://www.professionalstandards.org.uk/what-we-do/our-work-with-regulators/decisions-about-practitioners>