



Social worker: Louise Adele Carder Registration number: SW73503 Fitness to Practise Final Order Review Meeting

Date of meeting: 26 July 2023

Meeting venue: Remote meeting

Final order being reviewed: Suspension order– (expiring 7 September 2023)

Hearing Outcome: Impose a removal order with effect from the expiry of the current order

Introduction and attendees:

1. This is a review of a final order. An order of suspension was imposed upon Ms Carder for a period of 12 months by a panel of adjudicators on 11 August 2022.
2. Ms Carder 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.

Adjudicators	Role
Clive Powell	Chair
Tracey Newson	Social worker adjudicator

Hearings team/Legal adviser	Role
Natasha Quainoo	Hearings officer
Jo Cooper	Hearings support officer
Charlotte Mitchell-Dunn	Legal adviser

Service of notice:

4. Ms Carder did not attend and was not represented . The panel of adjudicators (hereafter “the panel”) noted that the notice of this meeting was sent to Ms Carder by email to an address provided by Ms Carder (namely their registered address as it appears on the Social Work England Register).
5. The panel of adjudicators had careful regard to the documents contained in the final order review service bundle as follows:
 - A copy of the notice of the final order review hearing dated 22 June 2023 and addressed to Ms Carder at the email address she provided to Social Work England;
 - An extract from the Social Work England Register as at 22 June 2023 detailing Ms Carder’s registered address;
 - A copy of a signed statement of service, on behalf of Social Work England, confirming that on 22 June 2023 the writer sent by email to Ms Carder at the address referred to above: notice of hearing and related documents;

6. Having had regard to Rules 16 of the Fitness to Practice Rules 2019 (as amended) (the Rules) and Regulation 15(1) of The Social Workers Regulations 2018 (as amended), the panel was satisfied that notice of this hearing had been served on Ms Carder in accordance with Rules 16.

Proceeding in the absence of the social worker:

7. The panel considered whether to proceed in the absence of the social worker.
8. 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 *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'.
9. The panel considered all of the information before it. The panel considered that Ms Carder had previously stated that she no longer wished to be registered as a social worker and had not engaged with her regulator since the imposition of the suspension order. The panel noted that Ms Carder had been sent notice of today's hearing and the panel was satisfied that she was or should be aware of today's hearing.
10. The panel, therefore, concluded that Ms Carder had chosen voluntarily to absent herself. The panel had no reason to believe that an adjournment would result in Ms Carder's attendance. Having weighed the interests of Ms Carder 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 Carder's absence.

Proceeding with the final order review as a meeting:

11. The notice of the final order review informed Ms Carder 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 6 July 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."
12. The panel received no information to suggest that Ms Carder had responded to the notice of the final order review. The panel took into account Ms Carder's email dated 17 May 2023 which states as follows;

"I am etiting(sic) to let you know that I do not intend re registering, therefore please remove my name from SWE's register upon expiry of the Suspension Order."
13. The panel heard and accepted the advice of the legal adviser with regard to Rule 16(c) of the Fitness to Practise Rules 2019 (as amended) 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).

Review of the current order:

15. This final order review hearing takes place under 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 at the end of 7 September 2023.

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

The allegation arising out of the regulatory concerns referred by the Case Examiners on 17 December 2021 is as follows:

1. Whilst registered as a social worker between 28 August 2018 and 30 October 2020 You:
 - a. consumed and facilitated the consumption of an illegal substance, namely Cannabis;
 - b. consumed and encouraged the consumption of an illegal substance, namely Methylenedioxymethamphetamine (MDMA);
 - c. consumed and facilitated the consumption of a controlled substance, namely Diazepam;
 - d. consumed and facilitated the consumption of a controlled substance or substances, namely Opioids/Tramadol.
5. The matters described at particular 1 amounts to the statutory ground of misconduct.
6. By reason of your misconduct your fitness to practise is impaired.

Background

17. Ms Carder had worked as a qualified social worker since 1994. She had worked both for local authorities and in the NHS, including as an Approved Social Worker, and then as an Approved Mental Health Professional (AMHP).
18. From June 2016 until 2020, she was a forensic social worker in a medium secure psychiatric hospital where she dealt with transferred prisoners including patients with drug addiction problems.
19. During 2018 until 2020, Ms Carder formed a relationship with a man referred to in this decision as SK. When that relationship broke down during 2020, SK made a referral to Social Work England about Ms Carder's conduct during their relationship. He alleged that Ms Carder had abused drugs during their relationship and provided Social Work England with a large number of WhatsApp messages between himself and Ms Carder which appeared to demonstrate significant drug use by both of them during that period.
20. Those messages had been analysed and there was no dispute that they appeared to demonstrate the following:
 - a. During that period, between 2018 and 2020, Ms Carder used a considerable amount of cannabis and facilitated its consumption by a number of her friends;
 - b. During the same period, she consumed the drug MDMA, known colloquially as ecstasy, and, on occasions, encouraged SK to do the same;
 - c. During the same period, she consumed Valium and shared that drug with SK;
 - d. During the same period she consumed tramadol (an opioid painkiller) and shared that drug with SK.
21. Following a case management hearing in July 2022, Ms Carder provided a written document dated 2nd August 2022 in which she responded to the allegations as follows:
 - e. Cannabis:
 - i. I admit I used THC cannabis recreationally alone and in company during 2018-2020. I did not encourage anyone including SK to consume THC Cannabis.
 - ii. I facilitated the supply of THC Cannabis to my close friends, TL, S and MH. I did not financially gain by doing this.
 - f. MDMA:
 - i. I admit I used MDMA for the first time during my relationship with SK. We used MDMA some weekends during our relationship;

- ii. On occasions, I did encourage SK to use MDMA. He was calmer, more connected on a night out using MDMA... I did not facilitate the use of MDMA to anyone, other than SK.

g. Diazepam:

- i. I used Diazepam for periods up to five days, no more than once a year as prescribed;
- ii. I facilitated SK's use of my prescribed Diazepam on more than one occasion.

h. Opioids/Tramadol:

- i. I did not use prescribed Tramadol beyond 2018;
- ii. I supplied, therefore facilitating SK's Tramadol use for 'intolerable' pain.

22. The panel read the allegation to Ms Carder during the final hearing, and she accepted each particular of the allegation.

The final hearing panel on determined the following with regard to impairment:

"74. Turning to the question of whether Ms Carder's fitness to practise is currently impaired, the Panel bore in mind that a finding of impairment is separate from the finding of misconduct and that a finding of misconduct does not automatically mean that the practitioner's fitness to practice is impaired.

75. The panel asked itself whether the four tests set out in the case of CHRE v NMC and P Grant, referred to above, were satisfied in this case, with regard to Ms Carders past conduct.

76. The panel noted Ms Carder's very sensible concession that her physical state must have had some impact upon her performance at work. Nevertheless, looking at all the evidence as a whole, the panel found that it was not sufficient to satisfy it that Ms Carder had put service users at risk of harm.

77. The panel found that there was no doubt that Ms Carder had brought the profession into disrepute by engaging in activity that was unlawful and breached the trust which the public placed in her.

78. The panel also found that by acting in a way that did not maintain the trust and confidence of the public but betrayed that confidence, she was in breach of a fundamental tenet of the social work profession.

79. For the sake of completeness, the panel notes that there is no allegation that Ms Carder was dishonest.

80. The panel then asked itself whether Ms Carder was liable to bring the profession into disrepute or breach fundamental tenet of the profession in the future. In order to resolve that question, the panel looked at the evidence of insight and remediation that it had heard.

81. The panel accepted that Ms Carder had developed significant insight since her misconduct. It found that her insight now went beyond an understanding of her own position and included some appreciation of the effect her misconduct had had not only on those close to her but her colleagues, service users and the wider public.

82. Nevertheless, the panel concluded that Ms Carder's insight had to be seen in the context of both her misconduct and her communications with Social Work England.

83. The panel did not accept the full force of Mr Harris's submission that Ms Carder's misconduct arose from a deep-seated attitudinal problem. It found that it occurred in exceptional circumstances when she was herself emotionally vulnerable. The panel came to that conclusion because it accepted the evidence that Ms Carder had lived a largely blameless life until the misconduct in this case.

84. Nevertheless, the panel found that Ms Carder's misconduct continued over a significant period of time, in the region of two years, when she had opportunities to step back and her insight has taken a considerable time to develop. In this regard, the panel took particular note of the denials that Ms Carder wrote to Social Work England, set out above, and also her written submissions as recently as July 2022 when Ms Carder demonstrated that she had not then understood the impact of her personal life on the wider profession and public. It also reminded itself of the e-mail that Ms Carder wrote in June 2022 indicating that she wished to leave the profession and her evidence that she has now changed her mind.

85. For those reasons the panel concluded that Ms Carder's insight is relatively new and still fragile. The panel found that the development of her insight is encouraging but needs to be sustained and extend to a greater understanding of how she must resist the temptations that may occur in her personal life. The panel was encouraged that Ms Carder has understood that her personal life can impact upon her fitness to practise and also that she has to reflect upon the relationships that she has. Nevertheless, it found that she still needs to understand that the gravity of her misconduct arose not just from trying to "rescue" someone but failing to understand that her personal life is constrained by the need to maintain public confidence in the profession and that can include upholding the law.

86. Turning to remediation the panel accepted that there are limits on what Ms Carder can demonstrate at this stage. Nevertheless, the panel found that the objective evidence of remediation, at the very least by demonstrating a significant period free from misconduct, and the evidence of those who have seen the change in Ms Carder

that she has described including those who had provided therapy, is not before the panel at this stage. Accordingly, the panel cannot be satisfied that Ms Carder has fully remediated her misconduct.

87. The panel then reminded itself that the overarching objective included not only the protection of members of the public from the risk of repetition but also the need to promote and maintain public confidence in the profession and uphold standards of conduct. The panel found that a finding of impairment is necessary to demonstrate that Ms Carder's conduct is unacceptable, notwithstanding the evidence that she has been a very competent social worker.

88. The panel is satisfied that public confidence in the profession would not be maintained and the panel would be failing in its duty to uphold standards of conduct if there were no finding of impairment in light of its findings set out above.

89. Accordingly, the panel found that Ms Carder's fitness to practise is currently impaired under all three limbs of the overarching objective, including the protection of the public and the wider public interest in maintaining confidence in the profession of social work and upholding standards of conduct."

The final hearing panel determined the following with regard to sanction:

"98. The panel reminded itself that the purpose of sanction is not to punish a social worker but to protect the public and the wider public interest, which includes promoting and maintaining public confidence in the profession and promoting and maintaining proper standards for the profession.

99. The panel also bore in mind the principle of proportionality and balanced the panel's duty to protect the public against the right of Ms Carder to pursue her profession.

100. The panel identified the following aggravating factors:

- a. Ms Carder's misconduct was likely to undermine public confidence in the profession of social work;*
- b. The misconduct which Ms Carder admitted continued over a period of nearly 2 years;*
- c. Ms Carder's insight has been slow to develop and came after a period of being untruthful to Social Work England in her written submissions;*

101. The panel identified the following mitigating factors:

- a. The misconduct occurred in the context of particular life events, which are no longer present.*
- b. Ms Carder admitted all particulars of the allegation;*

c. By those admissions and the evidence she gave, Ms Carder demonstrated that she had started to develop insight and was likely to develop still further insight;

d. Ms Carder had begun the process of remediation in a way that gave the panel guarded confidence that the process is likely to continue;

e. There was no matter of misconduct recorded against Ms Carder, either before the misconduct in this case or since;

102. The panel found that the aggravating and mitigating factors were balanced to the extent that a serious sanction is required but that it may be possible to reflect the mitigation by imposing a sanction less serious than a removal order.

103. The panel considered the sanctions available to it in ascending order, starting with the least restrictive.

104. The panel first considered whether it was appropriate to take no further action. The panel had regard to paragraph 72 - 75 of the Sanctions guidance and was satisfied that there were no exceptional circumstances which would justify taking this course. The panel was satisfied that a sanction is necessary in this case.

105. The panel then considered whether it should issue advice or a warning to Ms Carder. It had regard to paragraphs 76 to 83 of the Sanctions guidance and found that neither issuing advice or a warning was sufficiently restrictive to protect the public from the identified risk of repetition nor to uphold the wider public interest.

106. The panel then considered whether it could protect the public by the imposition of a conditions of practice order. The panel had regard to paragraph 85 of the sanctions guidance which provides:

85. Conditions are most commonly applied in cases of lack of competence or ill health. They're less likely to be appropriate in cases of character, attitudinal or behavioural failings, or in cases raising wider public interest issues."

107. The panel reminded itself that the failings it had identified in this case were behavioural and concerned the wider public interest.

108. The panel found that there were no workable conditions which could protect the public from concerns that arose out of Ms Carder's private life, which inevitably, could not be supervised. The panel accepted that Ms Carder did not have an addiction that could be cured so no conditions of treatment could be imposed. The panel also found, were there were no conditions sufficiently restrictive to protect the wider public interest.

109. The panel then considered whether it should impose a suspension order. The panel reminded itself that it can impose a suspension order for a maximum of 3 years. The panel had regard to paragraph 93 of the Sanctions guidance which provides:

Suspension is appropriate where no workable conditions can be formulated that can protect the public or the wider public interest, but where the case falls short of requiring removal from the register or where removal is not an option.

110. The panel reminded itself of its finding that Ms Carder had been a competent social worker and had started on the journey to being one again. It concluded that there was good reason to believe that a period of suspension would be used by Ms Carder to complete her remediation and once again serve the public.

111. In those circumstances, the panel was satisfied that that a suspension order of sufficient length was likely to protect the public from a risk of harm.

112. The panel then gave consideration to whether a period of suspension would be sufficient to promote and maintain public confidence in the profession. The panel decided it would for the following reasons:

- a. There is no evidence that her misconduct caused harm to service users;*
- b. The misconduct did not fall within one of the areas, identified as particularly serious by the Sanctions guidance;*
- c. Ms Carder ceased her misconduct more than 2 years ago;*
- d. The misconduct was serious but mitigated by the passage of time and the evidence of insight and remediation.*

113. The panel then considered a removal order and turned to paragraph 98 of the Sanctions guidance, which provides:

97. A removal order must be made where the adjudicators conclude that no other outcome would be enough to protect the public, maintain confidence in the profession or maintain proper professional standards for social workers in England. A decision to impose a removal order should explain why lesser sanctions are insufficient to meet these objectives.

114. The panel concluded that a removal order was not necessary to protect the public, including the wider public interest, in this case because of the reassurance it had derived from Ms Carder's evidence of developing insight and the factors that set out above which, taken together, meant that there was another order which could protect the public, including the public interest

115. The panel then considered the appropriate length of the suspension order. The panel had regard to paragraph 97 of the Sanctions guidance and balanced the need to impose a period which was sufficient for Ms Carder to complete her remediation and to mark the seriousness of Ms Carder's misconduct but which did not result in her becoming "deskilled". Balancing those considerations, the panel concluded that the correct length was a period of 12 months.

116. The panel has borne in mind that a period of suspension will inevitably have an

adverse effect on Ms Carder personally and possibly financially. Nevertheless, the panel is satisfied that no less restrictive sanction will be sufficient in this case for the reasons set out above.

117. Accordingly, the panel directs that Ms Carders registration be suspended for a period of 12 months.

118. This order will be reviewed shortly before it expires and the reviewing panel will have the power to discharge the order or impose any of the sanctions available to this panel.

119. This panel cannot bind a future panel but it may assist Ms Carder to bear in mind that a reviewing panel is likely to be assisted by the following:

- a) Ms Carder's attendance at the review hearing;*
- b) A reflective piece setting out Ms Carder's understanding of what she must do in the future to remain fit to practise, including maintaining the public's confidence in social workers;*
- c) Testimonials from people with whom she has worked both in paid employment or voluntary work;*
- d) any reports from those who have assisted Ms Carder in therapy and can speak of the journey she has made;*
- e) evidence that Ms Carder has kept her knowledge and skills up to date;*
- f) any other material which Ms Carder would wish to put before a review panel."*

Social Work England submissions:

23. The panel received written submissions on behalf of Social Work England as follows;

"Subject to any evidence or submissions received after this notice of hearing is sent, Social Work England will invite the Panel to consider imposing a Removal Order.

At the substantive hearing the Panel outlined recommendations, including a reflective piece setting out the Social Worker's understanding of what she must do in the future to remain fit to practise, including maintaining the public's confidence in social workers; testimonials; any reports from those who have assisted the Social Worker in therapy; evidence that the Social Worker has kept her knowledge and skills up to date. Since the Order came into effect the Social Worker has declined to provide evidence in line with the recommendations of the previous Panel and has advised that she would like to be removed from the register.

Social work England submit that, absent evidence of further insight and remediation, the Social Worker's fitness to practise remains impaired. Any extension of the current Order would serve no useful purpose because the Social Worker has indicated that she does not intend to engage with the recommendations of the final hearing Panel or return to the social work profession. The appropriate and proportionate order is therefore now a Removal Order."

Social worker submissions:

24. There has been no engagement by Ms Carder with Social Work England since the suspension order was imposed at the conclusion of the final hearing on 11 August 2022 and she has not submitted any evidence in response to the recommendations made by the original panel set out at paragraph 119. The panel noted Ms Carder's email sent in May 2023, as set out above.

Panel decision and reasons on current 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 panel. However, it has exercised its own judgement in relation to the question of current impairment. The panel also took into account Social Work England's 'Impairment and sanctions guidance'.
26. The panel had regard to all of the documentation before it, including the decision and reasons of the original panel. The panel also took account of the submissions made by Social Work England and the email of Ms Carder dated 17 May 2023.
27. The panel took into account the advice it received from the legal adviser as to the proper approach it should adopt. In particular, that:
- i. The purpose of the review is to consider the current impairment based on the agreed disposal, the extent to which Ms Carder has engaged with the regulatory process, the scope and level of her insight, and the risk of repetition.
 - ii. The persuasive burden is on Ms Carder.
 - iii. In terms of whether the regulatory concerns have been sufficiently, and appropriately remediated, relevant factors include whether Ms Carder:
 - a. fully appreciates the gravity of the previous panel's finding of impairment;
 - b. has kept her skills and knowledge up to date;
 - c. is likely to place service users at risk if she were to return to unrestricted practise.
 - iv. The panel should take into account any information that it has received relating to Ms Carder's ability to practise safely and effectively and the wider public interest which includes promoting and maintaining proper professional standards of behaviour and promoting and maintaining public confidence in the profession.
 - v. It is only if the panel determine that Ms Carder's fitness to practise remains impaired, that it should go on to consider what, if any, sanction to impose by applying the guidance as set out in the Sanctions Guidance (SG), the Regulations and the principles of proportionality which require Ms Carder's interests to be balanced against the interests of the public.

28. The panel first considered whether Ms Carder's fitness to practise remains impaired.
29. As a consequence of Ms Carder's non-attendance and the absence of any written submissions on the issue of insight and remediation, there was no evidence before the panel that Ms Carder has acquired an understanding of the seriousness of the regulatory concerns or the impact these concerns had on the reputation of the social work profession as a whole.
30. The panel does not have before it any evidence to suggest that Ms Carder has abstained from drug use. Further, the panel have no information in respect of any work which Ms Carder may currently be undertaking.
31. In the absence of any evidence of insight and remediation, the panel concluded that there has been no material change in circumstances, since the adjudicators decision in August 2022. This was despite the fact that Ms Carder was provided with a clear list of the types of evidence a reviewing panel would be assisted by. Ms Carder has not provided any information pertaining to her engagement with therapy, any reflection, or any evidence of training or CPD. She has not provided any testimonials from paid or unpaid work, social work or otherwise.
32. Although Ms Carder previously engaged by attending the final hearing in 2022, there has been no engagement by her with Social Work England since, which is a significant period of time. She has not attended this hearing. Therefore there remains no further demonstration of regret, insight, remorse or remediation. The panel concluded that there is no evidence provided to suggest that the risk of repetition of the misconduct has reduced and there therefore remains a very real risk of repetition.
33. The panel noted that a significant aspect of the public component is promoting and maintaining public confidence and promoting and maintaining proper professional standards for social workers. Members of the public would be extremely concerned if a social worker was permitted to resume unrestricted practise in circumstances where the regulatory concern which led to a suspension order had not been remediated.
34. The panel concluded that, in these circumstances, a finding of no impairment would seriously undermine public trust and confidence in the profession and Social Work England as a professional regulator. Therefore, the panel concluded that Ms Carder's fitness to practise remains impaired.

Decision and reasons:

35. Having found Ms Carder's fitness to practise is currently impaired, the panel then considered what, if any, sanction it should impose in this case. The panel had regard to the submissions made along with all the information and accepted the advice of the legal adviser.
36. The panel considered the submissions made by Social Work England, in which the panel are invited to consider the imposition of a removal order. The panel noted that Ms Carder has also stated that she wished to be removed from the register. The panel took into account the 'Impairment and sanctions guidance' published by Social Work England.

37. The panel was mindful that the purpose of any sanction is not to punish Ms Carder, but to protect the public and the wider public interest. The public interest includes maintaining public confidence in the profession and Social Work England as its regulator and by upholding proper standards of conduct and behaviour. The panel applied the principle of proportionality by weighing Ms Carder's interests with the public interest.

38. The panel bore in mind Social Work England's overarching objective which is to protect the public which is achieved by:

- a. protecting, promoting and maintaining the health, safety and wellbeing of the public;
- b. promoting and maintaining public confidence in social workers in England; and
- c. promoting and maintaining proper professional standards for social workers in England.

Decision on whether to revoke order/make no further order

39. The panel noted the following paragraphs of the Impairment and Sanctions Guidance:

215. If a social worker remains not fit to practise, the adjudicators will make a decision on what order should be imposed.

216. A social worker must not be allowed to resume unrestricted practice unless the decision makers are satisfied their fitness to practise is no longer impaired.

40. The panel concluded that, in view of the nature and seriousness of Ms Carder's impairment which has not been remedied, and in the absence of any evidence of insight or remediation (and apparent unwillingness to do so) it would not be appropriate to take no further action. Furthermore, such an outcome would be insufficient to protect the public, maintain public confidence and uphold the reputation of the profession, given the risk of repetition.

Decision on whether to issue advice or warning on expiry of suspension order

41. The panel then considered whether to issue advice or a warning. The panel noted that neither of these sanctions would restrict Ms Carder's ability to practise and therefore such sanctions would not be appropriate where there is a current risk to public safety and public confidence in the profession. Therefore, the panel concluded that issuing advice or a warning would be inappropriate and would provide insufficient protection of the public.

Decision on whether to impose a conditions of practice order on expiry of suspension order

42. The panel went on to consider a conditions of practice order. The panel took the view that, given the misconduct findings in this case, which relate to drug use and/or the facilitation of drug use a conditions of practice order would not be suitable. The panel noted Ms Carder's lack of engagement following the imposition of the suspension order. Further, the panel noted that it had no information in respect of Ms Carder's current work situation. For this

reason the panel concluded that it could not formulate workable conditions of practice in this case.

Decision on whether to extend the period of suspension order

43. The panel concluded that given the prolonged period with no engagement from Ms Carder, despite communications from Social Work England, she is unlikely to engage with Social Work England in the future, or take the necessary steps in order to satisfy any reviewing panel that her fitness to practise is no longer impaired. The panel noted Ms Carder's email expressing her desire to be removed from the register.
44. Ms Carder has not taken the opportunity to demonstrate sufficient insight, remorse, and remediation that was afforded to her at the final hearing. The panel noted the following paragraph of the Impairment and Sanctions Guidance:

149. A removal order may be appropriate in cases involving (any of the following): ...

- 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)*

45. Given the panel's conclusion that Ms Carder has not engaged since the final hearing, and is unlikely to engage with Social Work England in the future, or take the necessary steps in order to satisfy any reviewing panel that her fitness to practise is no longer impaired, the public interest is not served by keeping Ms Carder on the register, with the associated requirement for future review hearings.

Decision on whether to impose a removal order

46. The panel was satisfied it could consider that a removal order was available to the panel as Ms Carder's fitness to practise was originally found impaired on the basis of one or more grounds as set out in regulation 25(2)(a), (c), (d), (f) or (g).
47. The panel noted that a removal order is a sanction of last resort where there is no other means of protecting the public or the wider public interest. The panel took the view that a removal order would be appropriate because Ms Carder had not engaged since the final hearing, and is unlikely to engage with Social Work England in the future or take the necessary steps in order to satisfy any reviewing panel that her fitness to practise is no longer impaired. The panel considered its conclusions that the public interest is not served by keeping Ms Carder on the register. Further, the panel considered Ms Carder's own request to be removed from the register.
48. The Panel notes with genuine regret, Ms Carder's decision not to engage has resulted in the end of her career in social work, however the panel balanced this against the need to protect the public, and concluded it had no alternative but to remove Ms Carder from the register.

Right of appeal:

49. 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.
50. 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.
51. 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.
52. This notice is served in accordance with Rules 44 and 45 of the Fitness to Practise Rules 2019 (as amended).

Review of final orders:

53. Under regulation 15(1), 15(2) and 15(3) of Schedule 2 of The Social Workers Regulations 2018 (as amended):
- 15(1) The regulator must review a suspension order, or a conditions of practice order, before its expiry.
 - 15(2) The regulator may review a final order where new evidence relevant to the order has become available after the making of the order, or when requested to do so by the social worker.
 - 15(3) A request by the social worker under sub-paragraph (2) must be made within such period as the regulator determines in rules made under Regulation 25(5).
54. Under Rule 16(aa) of the Fitness to Practise Rules 2019 (as amended), a social worker requesting a review of a final order under paragraph 15 of Schedule 2 must make the request within 28 days of the day on which they are notified of the order.

The Professional Standards Authority

55. 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>