

# Social worker: Jacqueline Spencer

## Registration number: SW96745

### Fitness to Practise

### Final Order Review Hearing

Date of hearing: 22 August 2023

Hearing venue: Remote hearing

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

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

## Introduction and attendees:

1. This is the seventh review of a final order originally imposed as a conditions of practice order for a period of 12 months by a Fitness to Practise Committee of the Health and Care Professions Council (HCPC) on 16 May 2019. The final order was reviewed as follows:
  - a. 01 May 2020 – Conditions of Practice Order varied and continued;
  - b. 30 April 2021 – Conditions of Practice Order varied and continued;
  - c. 28 January 2022 – Conditions of Practice Order varied and continued;
  - d. 26 July 2022 – Conditions of Practice Order varied and continued;
  - e. 06 January 2023 – Conditions of Practice Order varied and continued; and
  - f. 19 May 2023 – Conditions of Practice Order replaced by a Suspension Order.
2. Ms Spencer attended and was not represented.
3. Social Work England was represented by Ms Emma Rutherford, Counsel instructed by Capsticks LLP.
4. The panel of adjudicators conducting this review (the “panel”) and the other people involved in it were as follows:

<b>Adjudicators</b>	<b>Role</b>
Karen McArthur	Chair
Belinda Henson	Social worker adjudicator

<b>Hearings team/Legal adviser</b>	<b>Role</b>
Paul Harris	Hearings officer
Heather Hibbins	Hearings support officer
Neville Sorab	Legal adviser

## Review of the current order:

5. 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).
6. The current order is due to expire at the end of 07 October 2023.

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

7. The allegations found proved were:

1. *In the case of Child A, which was allocated to you on or around 22 July 2016, you:*
  - a. *Did not:*
    - i. *undertake a home visit to Child A until 21 September 2016;*
    - ii. *visit and/or record visiting Child A on 22 September 2016 as requested.*
  - b. *[Not proved];*
  - c. *Within 15 working days of referral did not discuss with your manager any delays completing the Single Assessment Plan and/or arrange a Child in Need meeting;*
  - d. *Did not complete a Single Assessment Plan of Child A within 45 working days of referral.*
2. *In the cases of Child B and Child C, you:*
  - a. *Within 15 working days of the referrals did not discuss with your manager any delays completing the Single Assessment Plans and/or arrange a Child in Need meeting;*
  - b. *Did not:*
    - i. *Complete a Single Assessment Plan for Child B within 45 working days of referral or at all.*
    - ii. *Complete a Single Assessment Plan for Child C within 45 working days of referral.*
3. *Ensure that the Single Assessment Plan dated 22 September 2016 for Child C contained all relevant information.*
  - a. *Did not record case notes of your visit to Child B and/or Child C on the following dates:*
    - i. *8 August 2016;*
    - ii. *31 August 2016;*
4. *You held a social media profile which identified you as an employee of Halton Borough Council and:*

- a. *You posted racially insensitive and/or inappropriate messages on social media;and/or*
- b. *The messages you posted in Paragraph 3.a were available to the wider public to view*
- 5. *You practised as a social worker with Halton Borough Council between December 2014 and November 2015 when you were not registered with the HCPC.*
- 6. *On your HCPC readmission application for registration dated 16 November 2015, you recorded that you last practised in your profession on 14 December 2014, when this was not the case. (Proved but not found to amount to misconduct)*
- 7. *(Not proved)*
- 8. *The matters set out in paragraphs 1 – 2 constitute misconduct and/or lack of competence.*
- 9. *The matters set out in paragraphs 3 –6 constitute misconduct.*

*By reason of your misconduct and/or lack of competence your fitness to practise is impaired.*

#### Background

- 8. At the relevant time, Ms Spencer was employed by Halton Borough Council as a social worker in the Child in Need team in Widnes.
- 9. The Allegation arose from Ms Spencer's work on a case involving safeguarding, in which she had not conducted a home visit in a timely manner, had not liaised with her manager about delays and had failed to complete Single Assessment ("SA") Plans within the required timeframes. It was further alleged that Ms Spencer posted messages on social media which were racially insensitive and worked as a social worker without being HCPC registered for a period of 11 months.
- 10. Paragraphs 1 and 2 of the Allegation related to Ms Spencer's work with Family A. Concerns had been raised regarding possible sexual offences taking place within the context of the family. Person A was the grandfather of Child A, B and C. There were concerns regarding Person A's contact with the three children.
- 11. On 18 July 2016 a referral was made to Ms Spencer in respect of Child B and Child C and on the following day, a referral was made to Ms Spencer in respect of Child A. Single Assessments were required for all three children with a view to managing the risk potentially posed by Person A.
- 12. The visits and reports that Ms Spencer was obliged to carry out were carried out outside the 15- and 45-day time scales provided by the Council's rules.

13. Paragraph 3 of the Allegation related to the fact that Ms Spencer had posted the following entry on her Facebook page:

*"Listen carefully, I'm a Black woman who loves black men, black culture & black people. Nothing else concerns me."*

and to the fact that she used inappropriate language to describe a group of white males who had approached her as:

*"MOTHER FUCKERS".*

14. Paragraph 4 of the Allegation related to the fact that when Ms Spencer's registration expired in December 2014, she did not renew it until December 2015, and yet continued to practise in the interim.

The previous final order review panel on 19 May 2023 determined the following with regard to impairment:

22. *"The panel did not in any way discount the steps taken already by Ms Spencer to engage with the conditions of practice orders.*
23. *Ms Spencer however has not sustained her engagement with Social Work England. She has not participated in this review and an earlier review of the conditions of practice orders, which is expected of her as a registered social worker. There is no material to suggest that Ms Spencer has taken to heart the risks to the public which arise from her accelerating deskilling. Ms Spencer has been encouraged to provide evidence of her engagement with conditions of practice. The previous panels have been explicit about the kind of evidence of remediation that would, potentially, be helpful to her. Ms Spencer's response, if it is a response at all, has been characterised by silence and inaction.*
24. *The panel must be fully satisfied that Ms Spencer has fully addressed and remediated the concerns raised in the past. The panel considered also the potential for Ms Spencer to have become further deskilled as a social worker since her last employment in that role in 2016. Ms Spencer has in the past observed that she is impeded in obtaining a social worker post by the fact of the conditions. The panel, however, had no evidence that Ms Spencer, has sought employment requiring registration. Neither does it have any information relating to her current role and duties (if she remains in work), and whether it is sufficiently close to the work of a social worker that she is able to demonstrate full remediation in her current post.*
25. *In the absence of positive engagement by Ms Spencer supported by evidence of current insight and reflection, the panel was unable to be satisfied that*

*was no longer a risk to the public from her return to unrestricted practice. In those circumstances, there remains a risk of repetition.*

26. *The panel, exercising its independent professional judgement, considered that in all of these circumstance, Ms Spencer's fitness to practise remains impaired"*

The previous final order review panel on 19 May 2023 determined the following with regard to sanction:

56. *"The panel considered whether the current conditions of practice should be extended for a further period of time, not exceeding three years from today.*
57. *The panel took the view that Ms Spencer's deficiencies are potentially capable of being remedied and was satisfied that the current conditions of practice order was still appropriate to address the deficiencies.*
58. *However, the panel considered that Ms Spencer has shown no willingness to engage with the current conditions of practice order. She has been provided with a series of task centred time frames for compliance and clear instructions by panels on what is likely to be sufficient. This panel was invited to do the same by Social Work England but for a longer time than imposed at the previous review on 6 January 2023. The panel was unclear why an extension of 6 months would be productive or purposeful when Ms Spencer appears to allow time to elapse without engagement of any kind.*
59. *The panel was troubled that the wider public interest in maintaining the public's trust and confidence in the profession was become a more prominent concern. Resources are being expended on succeeding reviews which are increasingly becoming futile. The absence of evidence of how Ms Spencer*
- is approaching any difficulties that she may still face in returning to a social worker role*
  - where she is working, and*
  - whether that is in a caring role*
- has become an insurmountable impediment to the panel in finding that conditions of practice are workable, manageable, measurable, and sufficiently protective of the public.*
60. *Ms Spencer has a professional obligation to engage with her regulator. Ms Spencer has declined to take up extensive attempts made by earlier panels to encourage her participation and remediation. The panel could not discount the possibility that Ms Spencer's attitude was wilful and contrary to her obligation to protect the public. The panel decided that continued*

*conditions of practice had become inadequate to meet all of the risks posed by Ms Spencer's continuing impairment. There was a risk that the public's trust and confidence in the profession and the regulatory process would be undermined by observing fruitless reviews despite the explicit support offered by panels.*

- 61. In all of these circumstances, the panel decided that the appropriate and proportionate sanction was one of suspension for three months with effect from the expiry of the current order. That time will allow Ms Spencer an opportunity to reflect on whether she wishes to remain in the profession, and if so, how to respond in an appropriately professional way, as guided by previous panels.*
- 62. Accordingly, the panel imposed a new order of suspension.*
- 63. The panel considered that a removal order would at this time be disproportionate and punitive. However, it recognises that the next reviewing panel may find such an order appropriate if Ms Spencer's engagement does not materially change."*

#### **Social Work England submissions:**

15. In the notice of this review dated 21 July 2023, Capsticks LLP made the following written submissions on behalf of Social Work England:

*"Subject to any evidence of insight and remediation received after the notice of hearing, Social Work England will invite the Panel to make a Removal Order.*

*The Panel who imposed the Suspension Order noted the increasing futility of the reviews due to the Social Worker's failure to engage with the Conditions of Practice Order. That Panel recommended that the Social Worker reflect upon whether she wishes to remain in the profession, and if so, that she should reflect upon how to respond in an appropriately professional way, as guided by previous panels.*

*The Social Worker has not done so. She has contacted her case review officer at Social Work England on 13 June 2023 asking for an update and indicated that she was 'thinking about' taking up a social worker role, but that is the extent of the contact. As a result of her being suspended, that employment option would not have been available to her. Beyond this, she has not indicated clearly that she continues to want to work as a social worker nor has she provided any further reflective pieces or evidence from past or present employers or voluntary organisations that could support her remediation.*

*This is the seventh substantive review of this matter and whilst the Social Worker has successfully demonstrated remediation in respect of her social media use, and has completed two of the conditions imposed upon her (namely to provide a*

*reflective piece about how her conduct was below the accepted standard of social workers, and to complete training to maintain her skills as a social worker), previous panels concluded that the Social Worker has not demonstrated full remediation and it was appropriate to continue a Conditions of Practice Order.*

*At the last review concerns were raised as to the futile nature of the reviews due to the Social Worker's lack of full engagement, resulting in that panel making a Suspension Order for three months. It is submitted that this was a final opportunity for the Social Worker to demonstrate her commitment to remediation and a return to practice.*

*In the above circumstances, Social Work England invite the Panel to find that the Social Worker's fitness to practise remains impaired, and that a Removal Order is now justified."*

16. In light of Ms Spencer's written submissions provided to Social Work England and the panel at 5pm on 21 August 2023, Ms Rutherford updated these submissions with the following oral submissions:

- a. Ms Spencer still provides late submissions, as demonstrated by requesting extensions for modules within her master's course and her late written submissions for this hearing;
- b. Ms Spencer has not provided any evidence from:
  - i. her tutor explaining how Ms Spencer is progressing in the masters;
  - ii. any employer on how she is in her employment and/or how her employment skills are relevant to social work;
  - iii. **[PRIVATE]**
- c. this is the seventh review, and Ms Spencer still has not provided evidence of remediation; and
- d. if the panel do not agree to a removal order, Social Work England request a further 12-month suspension order to provide Ms Spencer with enough time to fully engage with requirements to allow her to practice without restriction.

### Social worker submissions:

17. Ms Spencer provided the panel with the following written submissions at 5pm on 21 August 2023:

*"Social work Reflective piece*

*On reflection I fully acknowledge and understand mistakes made due to my lack of professional judgment during my time as a social worker at Halton Borough Council. Not following guidelines and social work processes/procedures allowed*



*me to leave vulnerable children at risk. Following from this I have now researched and have a competent understanding of why the above protocols need to be adhered to. Furthermore, this has been reinforced during my current mental health course.*

*Within the Child Adolescent Mental Health Module (CAHMS) I was required to assess the mental health needs of a 15 yr. old female (see attachment case study 1). Engaging in this assignment, allowed me to reflect on my prior mistakes and lack of professional judgment, whilst giving me the opportunity to re-establish my social work skills, i.e.,*

*Working within timescales*

*Assessing the unmet needs of the child*

*Gathering information from various relevant agencies*

*Analysing information gathered and producing a plan which positive outcomes for the child/ren young person (YP)*

*I related the case study (mental health assignment), to carrying out a social work assessment. I achieved this, by gaining a comprehensive knowledge of various mental health assessments, also having a knowledge of tier systems utilised by CAHMS:*

*Tier 1 Primary Care:*

- Interventions are made by GP's health visitors, school nurses, teachers, and social workers. Interventions are carried out by non-specialist, to deal with early signs of mental distress.*

*Tier 2*

- This service is provided by professionals i.e., child psychologists, educational psychologist, community child nurses and social workers. This tier offers specialist training and consultation for professionals and families.*

*Tier 3*

- This service is specialised for child/ren YP, who have more severe and complex disorders. Usually a multi-disciplinary team, often working within the community, CAHMS clinics or outpatient services.*

*Tier 4*

- Assessments to child psychiatric services including day units/residential units an in-hospital services for children/adolescents who are need of highly specialised services.*

*Although this was a mental health assessment, I utilised this opportunity to re-establish my social work knowledge necessary to gain further competent levels of understanding social work law, policies, and procedures, i.e.*

*Working within timescales to minimise risk.*

*Gathering/observing family dynamics/ information*

*Understanding the YP, wishes and feelings.*

*Utilising my knowledge base of child development.*

*Working within a multi-faceted team which is made up of various professionals.*

*Gathering analysing relevant information to form a holistic plan to address the un-met needs of child/ren YP.*

*Re-engaging in reading/researching social work law, policies, and procedures has enabled me a deeper understanding to the importance of completing assessments. Utilising books, journals and following social work law, policies, and procedures, has enabled me to understand how important it is to work within recommended timescales.*

*Working within timescales eradicates the risk of lost vital information which could result in delay causing further impact on vulnerable child/ren. This was reinforced by following the guidelines of Working Together Document, Assessment framework, and other books and journals.*

*I have also re-established myself with the Level of Need. This was due familiarising myself with above CAHMS tier system which guides the level of support required.*

*4 levels of need:*

- 1. You are satisfied child/ren needs are met by universal services i.e., health care education.*
- 2. You feel the child/ren need extra support, which requires a co-ordinated response. i.e., early intervention.*
- 3. The child/ren have unmet needs which are more or significant than EHAT, will identify a lead professional to address un-met needs.*
- 4. Child/ren has experienced significant harm/or at risk of significant harm (Section 47)*

*Or significant welfare concern (Section 17) single assessment co-ordinated by Social Worker.*

*Having knowledge of the above levels of need, helps in identifying the difference between significant harm Child Protection (Section 47) and (Section 17) Child in Need, this will help the referral process and ensure child/ren receive the support to address un-met needs.*

*If significant harm(s) are identified, my responsibility is to alert Managers to organise Strategy meeting within 15, working days.*

*If an assessment identifies significant welfare concern to child(ren), it is my responsibility to establish a Child in Need Meeting within 15 working days, to gather more information and decide an outcome*

*Moreover, it is paramount to visibly see the child/ren, within the 5, working day timescale, if this does not happen It is my responsibility to inform management, and gain further guidance. Furthermore, it is my responsibility to upload notes of activities concerning assessments i.e., unannounced visits, arranged visits, telephone meetings, home conditions, family dynamics and any relevant information which relates to the assessment within a 24hr period, as this gives a running commentary of activities also informs management of what progress has been made, whilst working within timescales.*

*Moreover, it is paramount to utilise reflective supervisions effectively. Engaging in this allows for a competent knowledge of social work laws, policies and procedures, whilst allowing the social worker to reflect on their practice and their development. This also allows deeper discussions on cases which are more complex were the social worker may need further guidance, or relevant training.*

*As well as using formal supervision, social workers can discuss cases within the team, this allows for sharing and receiving relevant information/experience. On reflection this is an action which I could have used, were I would have received further support, for me to manage my case load more effectively and efficiently, thus building my confidence to become more competent within my social work practice.*

*On reflection my current course has allowed me fully to understand the impact of the failures which occurred during my social work role. I have also gained insight to acknowledge my lack of professional judgement and not fully adhering to social work guidelines, policies, and procedures, as outlined in Working Together Document, The Assessment Framework Guidelines and various other books, journals, and articles I have read/researched.*

*Furthermore, the feeling of being overwhelmed within my current studies resonated with my feelings at that time as a social worker at Halton Borough Council. What I have learned from this is, it is my responsibly to speak up about issues I am facing, as well as acknowledging my limitations which may have required more specialised support/guidance.*

*I feel this reflective piece has highlighted my acknowledgement of the situation, whilst taking full responsibility of the failures made whilst I was practising social work at Halton Borough Council. However, it also illustrates that I have gained a deep insight and utilised opportunities within my current course to re-establish and*

*re-educate myself within the role of a social work, and adhering to policies, procedures, and social work law are paramount.*

*During my current course, I have gained confidence, self-esteem, self-worth, and competence to re-establish my career as a social worker, (ASYE), as this will build on my social work knowledge base, skills, and experience."*

18. Ms Spencer supplemented these submissions with the following oral evidence provided under affirmation:

- a. Ms Spencer feels as though she is now ready to fully engage with Social Work England. She failed to do so before as she was *"carrying a lot of denial"* and she as *"unsure of what to do"*;
- b. Ms Spencer is looking to undertake some voluntary work at a YMCA where she was previously employed through an Agency. Ms Spencer said that this will help raise her self-confidence and self-esteem, and help her get over her shortcomings as a social worker. Previously at the YMCA, Ms Spencer was a support worker which involved having one-to-ones, creating and executing personal development plans, and supporting individuals drafting letters;
- c. Ms Spencer has been out of employment for a period of 9-10 months, previously having worked – through an Agency – in a residential care home helping those towards living independently. She could not work at the residential care home on a permanent full-time basis as a fee would have needed to be paid. Ms Spencer said that she can get overwhelmed by work;
- d. Ms Spencer is currently undertaking a masters in Mental Health which she commenced in September 2021. Ms Spencer said that she had a *"lightbulb moment"* in January 2022 when she assessed the mental health of a girl. This made Ms Spencer realise that she could use the masters to address her own failures, and further, she realised where she went wrong in her practise;
- e. **[PRIVATE]**; and
- f. Ms Spencer did not think that feedback from her tutor, previous employers or her doctor was necessary for this hearing.

### Panel decision and reasons on current impairment:

19. 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 decisions of the previous panels. 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"*.

20. The panel had regard to all of the documentation before it, including the decision and reasons of the final hearing panel and the previous reviewing panels. The panel also took account of Social Work England's submissions and the submissions of Ms Spencer.
21. 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 to maintain public confidence in the profession.
22. The panel first considered whether Ms Spencer's fitness to practise remains impaired. The panel considered that Ms Spencer's fitness to practise remains impaired due:
- a. Ms Spencer failing to act, notwithstanding clear directions for remediation, and to develop insight, from previous panels;
  - b. Ms Spencer's "*lightbulb moment*" being in January 2022. However, sixteen months and five reviews have since passed without Ms Spencer providing substantive evidence of remediation or developing insight;
  - c. Ms Spencer still demonstrates an inability to meet deadlines, including for modules for her masters and providing representations and preparation for Social Work England fitness to practise hearings;
  - d. Ms Spencer has failed to provide any evidence from:
    - i. her tutor explaining how Ms Spencer is progressing in the masters;
    - ii. any employer on how she is in her employment and/or how her employment skills are relevant to social work; or
    - iii. **[PRIVATE]**
  - e. Ms Spencer failed to engage with Social Work England for advice on how to remediate her practise; and
  - f. Ms Spencer set out in evidence that she still becomes overwhelmed with work.
23. In light of the risk to the public, the panel also concluded that an informed member of the public would be concerned to learn, given the facts in the agreed disposal and the limited insight, that Ms Spencer was allowed to continue to practise without some restriction being placed upon her registration. The panel therefore considered that an order remains necessary in the wider public interest, in order to maintain public confidence in the social work profession and uphold proper professional standards.

### Decision and reasons:

24. Having found that Ms Spencer'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.

25. The panel considered the submissions made by Social Work England during which they invited the panel to consider imposing a removal order. The panel also took into account Social Work England's *"Impairment and sanctions guidance"*.
26. The panel was mindful that the purpose of any sanction is not to punish Ms Spencer, 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 Spencer's interests with the public interest.

#### Advice/Warning

27. The panel considered that advice or a warning was insufficient to protect the public, and not in the wider public interest, given Ms Spencer's limited insight and remediation (as discussed above).

#### Conditions of practice order

28. The panel considered that a conditions of practice order would be insufficient due to:
- a. conditions of practice require full engagement from Ms Spencer. The panel considers that Ms Spencer has had only limited engagement with Social Work England – demonstrating insufficient insight and remediation – since the final order review hearings commenced in May 2020. During the four years that the conditions of practice have been in place, Ms Spencer has not engaged with the conditions;
  - b. the first five final order reviewing panel provided clear directions for remediation and to develop insight. Ms Spencer failed to follow these directions. The panel considers this demonstrates Ms Spencer's reticence to adhere to conditions;
  - c. the panel has no information before it to determine that Ms Spencer can work as social worker without restriction, and has been out of social work practice for a period of over four years to date; and
  - d. without information forthcoming from Ms Spencer, there is a risk that Ms Spencer has become deskilled to some degree which could place service users at risk of harm.

#### Suspension order

29. The panel next considered whether a suspension order would be an appropriate sanction. The panel determined that a suspension order would be insufficient as Ms Spencer has had approximately four years to address concerns in relation to her practice but has failed to do so. The panel does not consider that Ms Spencer will utilise any further time given to improve her insight and remediation. The panel do not have any confidence that a further period of suspension would result in any meaningful remediation.

#### Removal order

30. The panel noted that a removal order is a sanction of last resort where there are no other means of protecting the public or the wider public interest. The panel took the view that a removal order would be proportionate in this matter due to:

- a. Ms Spencer has had over four years to address concerns in relation to her practice and has failed to do so; and
- b. Ms Spencer's continued existence upon the social work register is likely to result in further hearings, which have yielded only limited insight and remediation to date. Therefore, it is in the public interest to not spend time and resources on further hearings.

### Right of appeal:

31. 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.

32. 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.

33. 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.

34. This notice is served in accordance with Rules 44 and 45 of the FTP Rules 2019 (as amended).

### Review of final orders:

35. 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).

36. 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

37. 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>